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Identity Construction in Post-apartheid South Africa: the Case of the Muslim Community

Rania Hassan

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This thesis is dedicated to little Maisa, I hope she forgives me for the long hours spent in the office working on this research and the less time devoted to playing.

Abstract

Since the end of apartheid, issues pertaining to South African identity construction have attracted increased scholarly attention. This is reflected in a growing body of literature in several disciplines that analyze identities in post-apartheid South Africa. At the same time, a number of factors led to an equally increasing interest in Islamic and Muslim politics. However, the interest remains to a great extent concerned with the history of Islam in Africa, with very little attention paid to contemporary Muslim politics in its broader sense or indeed what this means in the South African context. This thesis, about Muslims' identities in South Africa, aims to merge these two fields of identities information and Muslim politics. In an attempt to unpack identity discourses within the Muslim community in South Africa, the study will address three main questions: How are Muslims' identities formulated? How do they relate to each other? And how do they develop in different contexts? In order to answer the aforementioned questions the thesis will focus on how religious identities intersect with other levels of identification – mainly national, ethnic and political identities. By answering the broader questions about identity construction processes, the thesis is able to address several other more specific questions. For example, what kind of interplay exists between the different identities such as those that are religious, ethnic, socio-economic or political? What does this interplay suggest in terms of the hierarchy of identities in different contexts?

Instead of using identity as an analytical category, the thesis adopts the term 'identification', which reflects both the processes according to which identities are formulated as well as the context contingent nature of identities. After analyzing the theoretical and conceptual underpinnings of identity construction, the rest of the thesis discusses the extent to which Islam has informed Muslims' identities at three separate, yet intersected and connected, levels. At the political identity level, I argue that religious identity has relatively little bearing on the articulation of Muslims' political identities in post-apartheid South Africa, by comparison with the apartheid era when political activism of Muslims was heavily charged by Islamic ethos and principles. I also argue that the stance adopted by Islamic religious bodies in the anti-apartheid struggle undermined their influence within the Muslim community to a great extent as far as political identities are concerned. In other contexts however, religious bodies enjoy a

more prominent role; that is particularly evident in negotiating Muslims' rights regarding Muslim Personal Law, which is highlighted as a case in point to show how citizenship, and thus national identity, is intertwined with religious identity. At a third and final level, ethnic identities within the Muslim community are examined through the inter-community relations, which reveal that racial and ethnic identification is best understood through both cultural as well as structural approaches.

Declaration

I hereby declare that this thesis is entirely my own work except where otherwise stated and acknowledged. This thesis has not been submitted for any other degree or qualification.

Signature.....

Date.....

Glossary¹

Azan	Call for prayer.
Bid‘a	Innovation (usually unlawful), a belief or practice for which there is no precedent in the time of prophet. Opposite to Sunna.
Da‘wa	Invitation, call to join the fold of Islam
Dīn	Faith, religion.
Fatwā	Opinion on a matter that could be either religious or civil.
Fiqh	The academic discipline whereby scholars describe and explore the Shari‘ah.
Hadīth	An account of what the prophet said or did, or of his tacit approval of something said or done in his presence. Hadīth along with Qur’ān constitute the main sources of guidance in matters of Islamic jurisprudence.
Halal	Permissible or lawful according to the Shari‘ah.
Haram	Not permissible.
Halaqah (pl. halaqat)	Literally ‘circle’— a study group.
Imam	Literally ‘leader’— in Sunni Islam the prayer leader.
Jahiliyya	Ignorance/community of infidels.
Jamaat Khana	Usually a room or small space in a building that is converted into a prayer facility.
Khutba	Sermon, address by the Imam to the congregation. In the Friday prayer the khutba precedes the salāt.
Kalām	Literally, ‘speech’, the word of God.

¹ The definitions provided in this glossary are based on the Encyclopaedia of Islam (2011) Leiden. Brill.

Kāfir (pl. kāfirūn or Kuffār)	Unbeliever; out of the pale of Islam.
Kufr	Literally, ‘ingratitude’, usually ‘unbelief’.
Madrasa	The name of an institution of learning where the Islamic sciences are taught.
Madhhab (pl. madhāhib)	Literally, ‘a way, course, mode, manner of acting or conduct’. School of law, in particular one of four legal systems recognised as orthodox by Sunni Muslims vz. Hanafiyya, Mālikiyya, Shāfi‘iyya and Hanbaliyya.
Masjjid (pl. Masājjid)	Mosque.
Moulood/ Mawlid	The date marking the birth of Prophet Muhammed.
Munafiq	Hypocrite.
Nabie	Prophet.
PBUH	Peace Be Upon Him (it is an expression that always follows the mentioning of Prophet Mohammed as a sign of respect).
Qur’ān	The Muslim scripture containing the revelations recited by Prophet Mohammed and preserved in a fixed written form.
Qurbāni	Sacrifice.
Qibla	The direction of Mecca towards which the worshipper must direct himself for prayer.
Salāt	Ritual prayer, the second pillar of Islam.
Sharī‘a	Literally ‘path’, the religious law of Islam.
Shūrā	Consultation.
Sunnah	Stands for the generally approved standard or practice introduced by the Prophet as well as the pious Muslims of olden days. Sunnah is considered the second source of Islamic law after Qur’ān.

Tawhīd	Monotheism; the act of believing and affirming that God is one and unique.
‘Ulamā (pl. ‘ālim)	Literally scholars of almost all disciplines. However, the term refers more specifically to the scholars of the religious sciences.
Ummah	People, community.
‘Umrah	Lesser pilgrimage.
Zakāt	The obligatory payment by Muslims of a determinate portion of specified categories of their lawful property for the benefit of the poor.

Abbreviations

AMP	African Muslim Party
ANC	African National Congress
APLA	Azanian People's Liberation Army
BC	Black ConsciousnessBlack Consciousness
CGE	Commission for Gender Equality
DA	Democratic Alliance
DEIC	Dutch East India Company
HSRC	Human Science Research Centre
ICSA	Islamic Council of South Africa
IDM	Islamic Da'wa Movement
IFP	Inkatha Freedom Party
IPSA	Islamic Peace University of South Africa
IUC	Islamic Unity Convention
JUT	Jam'iatul 'Ulamā Transval
JU	Jam'iatul 'Ulamā
KMDI	Kwa-Nobuhle Muslims Development Initiative
MAP	Muslim Aids Programme
MJC	Muslim Judicial Council
MMB	Muslim Marriage Bill
MPL	Muslim Personal law
MSA	Muslim Student Association
MYM	Muslim Youth Movement
PAC	Pan-Africanist Congress
PAGAD	People Against Gangsterism and Drugs

RICSA	Institute on Christianity in South Africa
RRMB	Recognition of Religious Marriages Bill
SCOB	Somali Community Board of South Africa
SALRC	South Africa Law Reform Commission
SAMP	The Southern African Migration Project
TRC	Truth and Reconciliation Commission
UDF	United Democratic Front
UUCSA	United Ulama Council of South Africa
VOC	Voice of the Cape
WLCT	Women's Legal Centre Trust

1 Chapter One: Introducing the Research Topic

1.1 Introduction

Since the end of apartheid, issues pertaining to identity construction and formation have attracted increased scholarly attention. This academic interest is reflected by a growing body of literature analyzing and discussing various aspects of identity (see for example: Bekker, Leildé et al. 2000; Bekker, Dodds et al. 2001; Zegeye 2001a; Chidester, Hadland et al. 2003; Bekker and Leildé 2005; Alexander 2006). However, by and large, ethnic identities have been at the heart of this debate (see for example: Pickel 1997; Erasmus and Pieterse 1999; Jeppie 2001; Jackson 2005; Adhikari 2009). The main focus of these studies is sub-national identities, mainly ethnic identities, and their impact upon the future of forging national identity in post-apartheid South Africa. Thus the notion of nation building and the problems associated with it has been the central focus of these studies.

This study, albeit an integral part of the above mentioned body of literature, is a bid to move from the sole focus on ethnicity to adding another aspect— in this case religion. This research looks at Islam and Muslims in South Africa in an attempt to unpack identity discourses within this community. It thus tries to answer three main questions. First, how are Muslims' identities formulated and expressed? Secondly, how do they relate to each other? Finally, how are they played out in different contexts? Although the main focus of this thesis is the post-1994 period, the study of current developments cannot be isolated from the past experiences. Given the fact that identities are constructed over long periods of time, it is necessary to refer to the experiences and stories of the past to unravel the dynamics in question.

In order to answer the aforementioned questions, I will focus on how religious identities intersect with other levels of identification— mainly national, ethnic and political identities. All identities in question will be examined through a number of themes or issues. I will look at the role of key players and actors and how they contribute to the debates leading to the identity construction. Additionally, I will provide a view from below in order to see how the discourses originated by the key players resonate within the Muslim community, or -rather- communities. By key players,

I am referring to organisations, institutions and individuals who are able to have their message disseminated to the broader community. In this research I will focus on three key players— religious bodies, Islamic media, and Muslim political formations. More on the reasons that informed my choice to focus on these particular players will be elaborated upon in the methodology section later in this chapter.

By answering the broader questions about identity construction processes a number of smaller but more specific questions will be unravelled. For example, what kind of interplay exists between the different identities such as religious, ethnic, socio-economic, and political ones? What does this interplay suggest in terms of the hierarchy of identities in different contexts? How do Muslims' identities shape Muslims' political role in post-apartheid South Africa?

Although the theoretical underpinning of studying identity will be elaborated upon in detail in Chapter 2, it will suffice— at this junction— to mention that this study is organised around four main assumptions, as follows:

First: Identities are constructed and manipulated. Bekker (2001: 2) states that 'though they [identities] may often be considered and even experienced as ascribed, this does not detract from their constructed nature'. This fact is hardly disputed; as a result Castells (2004: 6) argues that the emphasis should rather be made on 'how, from what, by whom, and for what these identities are constructed'.

Second: Identity, by its very nature, is in a constant state of flux. Muslim identities are no exception. Dangor (Dangor 2004: 264) and Jeppie (Jeppie 2001: 80) make relevant critical assertions concerning Indian and Malay Muslims' identities respectively.

Third: there is no one monolithic Islam in South Africa, a view shared by a number of scholars such as Omar (2002: 220), Dangor (2001: 109) and Argyle (1981: 222). Dangor (2001: 109) states that to see the Muslim presence in South Africa as an indivisible, integral whole is 'an oversimplification of a complex and highly diverse people, marked by social diversities and cultural pluralism'. By the same token, the inferences that form Muslim identities are as diverse as the community itself. The cause-effect relations in this regard need further investigation, which clearly should be conducted with due cognisance of specific ethnic and cultural backgrounds, as recommended by Mathee (2003: 51).

Finally, identity is context dependent; circumstances can make some identities more salient than others. The empirical chapters that follow will highlight examples of how certain contexts impact upon forms of identification.

1.2 Why study Muslims' identities?

Given the academic interest in identity related issues, one might ask the question: why is there yet another need to look at identities in the South African context? This interdisciplinary study which deals with aspects of identity, religion and politics derives its significance from a variety of factors. While it is closely related to the wider literature about identities in post-apartheid South Africa and takes the ethnic dimension into account, it attempts to add religion to ethnicity as a central focus of analysis. Muslims, like the rest of the South African population, have lived for a long period with externally imposed identities; what Le Pere and Lambrechts (1999: 12) describe as 'a harsh form of identity manipulation'. Even with the end of apartheid, South Africa still offers an ideal context in which to examine issues of identities and how they are negotiated and reconstructed within different contexts, which is particularly true for South African Muslims. In this sense, the Muslim community provides a very good case study of how apartheid policies, the struggle against apartheid and the new political dispensation influenced and have kept influencing their identities. Furthermore, a number of studies suggest that identification in South Africa has increasingly moved away from the major social categories such as race, class and gender and has been replaced by more 'personalised descriptions' such as religion. For example, in their study of collective identities in South Africa, Klandermans and his colleagues (2001: 100) find that from 1997 onwards religious identification among both coloureds and Asians became much stronger than ethnic identities.¹ Similarly, in a survey study conducted by Gibson and his colleagues, they found that amongst the Coloured and the Indians religion was an attractive label when they were asked to identify themselves (Gibson and Gouws 2000). By no means does this suggest, however, that racial/ethnic identification has totally disappeared.

¹ It is worth noting that similar patterns of identification are to be found elsewhere, for example a study by Tariq Modood (1997) shows the pre-eminence of religion in self identification amongst South Asians in Britain. For a fuller account on that see: Modood, T. (1997). *Culture and Identity. Ethnic Minorities in Britain: Diversity and Disadvantage*. T. Modood and R. Berthoud. London, Policy Studies Institute.

Another reason why the Muslim community is a good case study lies in the impact of the global on the local and vice versa. The South African Muslim community, which for decades has lived in relative isolation from their various countries of origins, has now become heavily influenced by global events that affect Muslims all over the globe. Suffice to mention here two examples where South African Muslims were drawn into debates that preoccupied the Muslim Ummah. The first example is 9/11 terrorist attacks and the subsequent war on terror. South African Muslims faced accusations of being radical and for providing a 'safe haven' for radical groups. As a result of profiling Muslims as terrorists, an increasing number of South African Muslims have been falsely detained in African jails for alleged terrorism. Just to mention few names: Mufti Hussain Bhayat the chairperson of the Lenasia-based Islamic charity Crescent of Hope, and Haroon Saley the executive member in the same organisation, both were arrested in Uganda on suspicion of being involved in terrorism, Farhad Dockrat principal of Darus salaam Islamic college in Pretoria was detained in Gambia in 2005 for suspected terrorist activities after visiting Islamic learning institutions in the country and in Senegal. Interestingly enough, some of terrorism/radicalism accusations came from Hussein Solomon, a South African Muslim academic, who gave a number of lectures and conference presentations where he claimed that 'radical Islam in South Africa was becoming more mainstream'. These accusations caused a great deal of debate in main stream media as well as in Islamic media which has turned into a platform from which South African Muslims have tried to defend themselves by emphasizing the 'South Africanness' aspect of their identities.

The second example—taking place after I finished my fieldwork — concerns the cartoon by the famous South African cartoonist, Zapiro, which was published in the *Mail and Guardian* newspaper on 20th May 2010 as a contribution to the 'everybody draw Mohammed Day' which was launched via the social network, Facebook. The cartoon drew South African Muslims into the debate all over the world around the topic and called to mind the reaction towards the Danish cartoons and earlier towards Salman Rushdie's book *The Satanic Verses*, back in the mid 1980s when South Africa was one

of few countries to ban the book.² In the case of Zapiro's cartoon, issues of freedom of speech guaranteed by the constitution and the bill of rights were brought to the forefront, raising implicit questions whether Muslims as South African citizens are willing to abide by the rules of constitution and whether there are limits to such freedom.³ In his response to the cartoon issue, a Muslim *Imam* admits in a Friday sermon dedicated to address the matter, that 'living in a secular democracy is going to throw up complex challenges that will entail ambiguities, doubts and challenges to our beliefs', however, the question is:

How do Muslims live in a secular, democratic Society? How do Muslims behave as model citizens and conduct ourselves when criticized? How do Muslims communicate their sensitivities to others without threatening them or their beliefs in freedom of speech (Manjra, 28 May 2010).

Another significant aspect of the study concerns the minority status of Muslims in the South African context. Muslims constitute less than two percent of the population while the majority of the South African population identify themselves as Christians. Although Muslims I interviewed have always been aware of their numerical minority status and the limitations that this could probably entail, they nonetheless emphasized the freedom they enjoy in practicing their religion and compared this freedom with Muslim minorities in other countries and sometimes even with Muslim majorities in Islamic countries. Najma Khota who works in Islamic broadcasting explains:

We South African Muslims are very fortunate, we are allowed to practice our religion very freely and we don't have an issue with Islamic scarf; Islamic dress is allowed in that regard even in the work place. There is freedom (Interview with Najma Khota, Lenasia, 30 March 2009)

² In 1988, the British novelist Salman Rushdie published his controversial novel *The Satanic Verses* which resulted in an outrage all over the Muslim world. In south Africa, a national campaign spearheaded by Mohammed Farid Choonara, director of the African Muslim Agency and a coalition of over 30 local Islamic organisations aimed at mobilizing the support of the Muslim community in opposing a proposed visit by the author to open the Weekly Mail Book Week—as a keynote speaker—in October and November in Cape Town and Johannesburg respectively. Although some Muslim figures such as Achmet Dangor, Yusuf Cachalia, Amina Cashalia and the MYM opposed the banning, the visit had to be cancelled by the organisers, as they could not guarantee Rushdie's safety. Besides South Africa, ten other countries banned the book, they were: India, Bangladesh, Sudan, Sri Lanka, Kenya, Thailand, Tanzania, Indonesia, Singapore, and Venezuela. See:

Nkrumah, G. G. (1989). "Islam: A Self-assertive Political Factor in Contemporary South Africa." Journal of Muslim Minority Affairs 10(2): 520-526, Dadoo, S. (2008). The Rushdie Affair: 20 Years Later. Al-Qalam. Durban.

³ It is worth noting that Mahmoud Mamdani delivered a lecture at the University of Johannesburg on the 25th of May 2010, in which he reflected on the relationship between freedom of speech and civil peace. Mamdani, M. (2010). Speech at the University of Johannesburg. Johannesburg, University of Johannesburg.

It is important to emphasize here that my own observation confirmed my interviewees testimonies in this regard. It has been always intriguing to note the high visibility of the Muslim community, from the *Azān* (call of prayers), which can be heard well outside the mosque premises, to the dress code especially for Muslim women, to the availability of *Halal* products.⁴ This conspicuous presence would not have been possible without the presence of a network of organisations and institutions that play a role in negotiating identities. The minority status of the Muslim community is intensified by the fact that the majority of Muslims, namely the Indians and the Coloureds, are themselves ethnic minorities within the South African population. This situation rendered Muslims in what could be termed as a situation of ‘double minority’.

1.3 Research outline

Given that identities are multi-layered and complex, the unpacking of this complicated yet vibrant world of identities requires navigating through a number of stories and discourses. My analysis will be organised around the core idea of interaction, interplay and interrelation between different levels of identities. By identifying these levels, I by no means suggest that there are clear lines that crosscut and separate different levels of identities. It is only for analytical reasons and for clarity that I opted to have this kind of classification.

Based on the above clarification, the main thread of inquiry that runs through the chapters concerns the ways that Islam mediates different levels of identities in South Africa. In other words, it seeks to discover how political, national and ethnic identities are shaped by religious affiliation (i.e. being Muslim) and who the key players and actors channelling the proposed influence are. This introductory chapter sets the research scene. In the remaining part of this chapter, I will give a brief background about the

⁴ This remark about visibility is more appreciated if compared with other contexts, particularly in Western Europe; in Britain for example, most mosques do not have the right to publically call to prayer and thus the *Azān* cannot be heard from outside the mosque. Similarly in Germany, with exception of few cities, demands of local mosques have been denied. As for the *Halal* products, these can only be found in certain shops, normally known as the *Asian shops*. On the other hand, major South African grocery chains like Pick and Pay have a wide range of *Halal* products all certified by different local *Halal* authorities. However, the excessive use of the halal stamp and the tendency of the Halal authorities to certify products like water for example, raised some criticism from the Muslim community. See for example: Jeenah, N. e. (2007). Warning: This Column Does Not Have a Halal Stamp. *Al-Qalam*. Durban.

history of Muslims in South Africa followed by an overview of the current Muslim population. I will end this chapter with a note on my methodology.

Chapter 2 provides the conceptual and theoretical framework that informs the thesis. I will introduce the study concepts as well as the different analytical frameworks used to analyse identity construction. In an attempt to situate the current study within the broader literature on the subject, Chapter 2 also sheds some light on identity studies in the South African context and the broader African context. The first level of analysis will look at how Islam influences Muslims' political identities. Chapters 3 and 4 will be dedicated to answering this question. Chapter 3 will look at the notions of political Islam, liberation theology and Muslim contribution to the anti-apartheid struggle. I argue that the Muslim contribution in this struggle could be better understood within the wider context of religion-state relations during this period. Chapter 4 will look at the post-1994 era which witnessed two developments worth analysing as far as Muslim political identities are concerned. The first is the founding of the Islamic political parties, and the second is the emergence of the radical movement, PAGAD (People Against Gangsterism and Drugs). While the first development represents an attempt to mobilise Muslims politically within the established structures of political participation, the second development is a form of challenge to one of the state's core functions, that of security. It is against this backdrop that I will try to unpack issues of the political identities of Muslims.

Chapter 5 will be dedicated to issues of national identity, and of the contexts appropriate for analysing identities on that particular level. Two key issues will be under scrutiny here: firstly, Muslims' attempts to have Muslim Personal law enacted and second, Muslims' attitudes towards immigrants in South Africa generally and Muslim immigrants particularly. Although these two issues were debated in the broader literature in relation to national identity, I will show that the debate has different dynamics as far as the Muslim community is concerned.

Finally, Chapter 6 will take the analysis to another level by looking at inter-community relations within the Muslim community. As it will be shown in the final section of this chapter, the Muslim community is actually made up of multiple communities in terms of ethnic composition with ninety percent of Muslims are either coloureds or Indians while the remaining 10 percent come from the black African

population. This variety within the Muslim community provides a good opportunity to investigate how ethnic identities are interplayed with religious ones. This analysis reveals how ethnic identification still occupies a paramount place as far as intercommunity relations are concerned.

Because of the nature of the study and the multifaceted nature of identity, the chapters outlined above are not intended to be mutually exclusive, on the contrary they are all mutually interdependent and should be read and approached as such.

1.4 Muslims in South Africa: Past and Present

Before embarking on any quest about Muslims' identities, it is important to briefly revisit the history of Muslims in South Africa. Not only will this help to provide a useful background, but it will also help inform the reader about many of the dynamics involved in the processes of identity construction. As will be evident in the subsequent chapters the multiple identities Muslims hold to the present are strongly informed by past histories of arrival and settlement in South Africa. This section sets itself the task of looking at the broad historical circumstances surrounding the penetration of Islam in this particular part of the African continent.

However, it would be more accurate to talk about multiple histories rather than one history of all Muslims in South Africa, as different groups of Muslims came from different origins and followed different paths rendering the present day South African Muslim community, or rather communities, as one of the most diverse. The history of the arrival of Muslims into South Africa can be divided into two main waves of immigration: the first wave took from 1653 and 1856, and the second from 1860 to the early twentieth century. Whereas the Cape Colony was the main destination for the first wave of immigrants, the second group of immigrants settled in Natal. It is from these two points that Muslims spread to other parts in South Africa.

1.4.1 The history of Muslims in the Cape

Historians who have studied the history of Muslims in the Cape distinguished between three groups who were part of this first wave of immigration — the political exiles, the bandit *Imams* and the slaves. The first of the aforementioned groups were the 'political exiles', those were the political leaders who were banished to the Cape by the Vereenigde Oost-Indische Compagnie because of their anti-imperialist activities in

South East Asian Islands. Most of these political exiles were Muslims and they came to the Cape Colony accompanied by a number of fellow Muslims. Shaykh Yussuf (1626-1699), who came to the Cape in 1694, was the most prominent figure amongst the political exiles. Shaykh Yussuf was born in 1626 in Makassar in Southern Celebes. During the Bantamese war in 1682 he supported his father-in-law Sultan Ageng against the Dutch backed Sultan Hadji. As a result of his struggle and role in the war, Shaykh Yussuf was persecuted by the Dutch and forced to surrender in 1683. He was first imprisoned in Batavia and Ceylon, before he and few of his followers were brought to the Cape in 1694 where he was confined to the farm Zandvliet near Eeeste River until his death five years later (Lubbe 1986: 25). Shaykh Yussuf was believed to be an 'Islamic Saint' and despite the fact that he was not the first Muslim to arrive in the Cape, he is believed to be the founder of Islam in South Africa (Quinn and Quinn 2003: 128-129). The full extent of Shaykh Yussuf's influence on the early Muslim community remains controversial. On one hand some contemporary scholars have suggested that Shaykh Yussuf established the first Muslim community in South Africa by attracting runaway slaves who converted to Islam and represented a symbol of resistance to European colonialism (Lubbe 1986: 25). On the other hand, some scholars believe that the foundation of this earliest community is 'based on some tenuous evidence, plagued by numerous unsubstantiated claims and by mistranslation' (Tayob 1999: 22-23). The latter view argues that the Dutch authorities would not have let influential exiles such as Shaykh Yussuf to freely found any significant resistance groups in the Cape, given their previous experience with him in the East (Tayob 1999: 22-23). A number of writings support this point of view and suggest that he was indeed kept isolated from the slave population for fear of influencing them, and thus he was confined to the Zandvliet farm which is located outside Cape Town (Tayob 1995; Tayob 1999; Shell 2000; Shell 2005).

Regardless of the above mentioned controversy, the importance of Shaykh Yussuf to South African Muslims and their sense of identity, especially in the Cape, cannot be disputed. For example, the gravesite of Shaykh Yussuf was — to quote Tayob — 'a place of veneration in the first half of the nineteenth century' (Tayob 1999: 23). Even now it is a common practice among the Cape Muslims to visit the shrine of Shaykh Yussuf before embarking to Mecca for pilgrimage (Tayob 1999: 23).

Towards the end of the eighteenth century several other important Muslim figures helped establish Islam in South Africa. In 1780 Tuan Guru (whose real name is *Imam* Abdullah ibn Qadi Abd al Salam (1712-1807), was brought to the Cape also as a political exile due to his opposition to the Dutch rule on the island of Tidore in the Moluccan Sea. He was imprisoned on Robben Island for almost thirteen years. While in prison on Robben Island, Tuan Guru wrote several books. One of his first accomplishments was to write the entire Quran from memory. He also produced a book on Islamic jurisprudence. On his release he devoted himself to the task of establishing a religious expression of Islamic community. He made an application to the Dutch authorities to build a mosque, however, his application was turned down. In response to this refusal, Tuan Guru led an open-air Friday congregational prayer in the area now known as Bo-Kaap. It is believed that this incident was the first in a series of organised Muslim political activities opposing colonial rule in the Cape (Lubbe 1986: 26; Sicard 1989: 204; Moosa 1995).

The second sub-group to arrive at the Cape consisted of an estimated three thousand convicts who were brought by the Vereenigde Oost-Indische Compagnie during the eighteenth century to work on the fortification and harbour works of Cape Town. These convicts were set free upon completion of their sentences. It is argued that the majority of early Cape Muslim leaders came from the ranks of the freed convicts rather than from the political exiles, and thus came the name the 'bandit *Imams*'.⁵ According to Shell (2005: 5) the key role they played as *Imams* and leaders could be attributed to the fact that the latter group was 'carefully neutralised on the out stations', and as a result these convict *Imams* provided the core of the Cape's early '*Ulama*'.

The third and final group of Muslims came to the Cape as slaves. In his seminal study about the origins of early Muslims in the Cape, Frank R. Bradlow (1978) undertook a quantitative analysis and assessment of the slave population in the Cape. Based on the archival material available on slaves who were brought to the Cape during the seventeenth and the eighteenth centuries, it was possible to trace, with a great deal of accuracy, the geographical and thus racial origins of the slaves. His task was made easier by the naming system adopted by the Dutch authorities at the time by which a

⁵ Bandietten is the Dutch word for convicts (Quinn and Quinn 2003: 129)

descriptive appendage containing the place of origin was added to the slave name. As Bradlow explained the system, “A slave from Bengal would be called by his first name plus the appendage ‘van Bengale’ in Dutch or ‘of Bengal’ in English. This helped distinguish people with similar names from one another. Thus ‘Augustus of Bengal’ could be easily identified as being a different person from ‘Augustus of Ceylon’” (Bradlow and Cairns 1978: 81-82). As far as the origins of those slaves are concerned, Bradlow showed that the majority of the slaves who were brought to the Cape were not from Africa but rather from the Far East (Bradlow and Cairns 1978: 86).

From the above brief history it is clear that the first Muslims who eventually settled in the Cape came from different origins. This led some scholars, such as Ephraim Mandivenga (1991: 76), to criticize the term ‘Cape Malay’ which has been used to describe the Cape Muslims as a ‘misnomer’, taking into consideration the diversity of their origins. Bradlow (1978: 84), however, offers his own explanation as to why Cape Muslims were called ‘Cape Malay’. According to Bradlow, the term Malay was used for linguistic reasons as Malay, or Malayo as it is sometimes called, was the trading language of a vast geographical area stretching from Madagascar to China and thus it was the common language understood by almost all slaves, regardless of their place of origin.

Early Muslims in the Cape had to endure many forms of injustices. First of all, they suffered religious discrimination; two provisions of the statutes of India were particularly restrictive for Muslims resident in the Batavian Empire, of which the Cape formed part. First, Muslims were not allowed to hold religious gatherings openly. Second, no religion was to be exercised, instructed or propagated in private or public, other than that of the Reformed Protestant Church as doctrined in the Public Churches of the United Provinces (Davids 1984: 174; Dangor 1997: 141). This situation, however, changed under the Batavian Republic (1803-1806) when, in 1804, the Church Order of de Mist gave religious freedom to all religions as a result of which Islam as well as other Christian sects were all un-banned (Dolamo 2005: 10-11).

Muslims were also discriminated against with respect to personal freedom of movement by the imposition of passes. This applied in the first instance to the compulsory service in the first brigade, which was predominantly manned by Muslims. Those conscripted to it were not allowed to leave town without a pass for which they had been charged. The third area of discrimination during the Dutch rule was

discrimination in the labour market. Upon their release the convicts were forced to remain in Cape Town. As they were skilled artisans they began to constitute an economic threat to the less well-to-do Whites. As a counter to the threat the Cape Town council began to prohibit them from acquiring property without permission of the governor. They were also charged inordinate rentals for their houses so as to minimise their chances of accumulating any capital (Sicard 1989: 204).

1.4.2 The history of Muslims in Natal

The history of Muslims in Natal followed a quite different path. Between 1860 and 1911 another wave of immigration took place. The Colony of Natal was the main destination for these immigrants. Surenda Bhana and Joy Brain (1990) offered a detailed account of the history of Indian migrants in South Africa and is a good example of how the history of Indian Muslims is intertwined with that of the Indians generally, regardless of religious affiliation. Between 1860 and 1911 around 150,000 indentured migrants from India arrived in Natal. These labourers were followed by non-indentured Indians who came in search of entrepreneurship and opportunities and were referred to as 'passengers' (Bhana and Brain 1990: 15).

Natal, compared with Britain's other colonies such as Australia and New Zealand, had less success in attracting European emigration; the colony suffered from the lack of infrastructure and failure to find suitable crops which would withstand the periodic droughts and shortage of skilled farmers. The demand for Indian labourers in the colony of Natal started with the introduction of sugar cane plants to Natal for the first time in 1847. The demand for Indian labour, that started as early as 1851 during the first public meeting to discuss labour problems, was a matter of public contestation for years between those who were in favour of 'Coolie' labour, and those who opposed it (Bhana and Brain 1990: 28). The first ship bringing indentured Indians from Madras arrived in Durban on 16 November 1860, carrying 340 men, women and children on board. The number of Muslims within this group was not confirmed, the *Natal Courier*, however, mentioned twenty-seven Muslims. Bhana argued that the records available about this shipment and the subsequent ones are not reliable. For example, information supplied under 'caste' were either terms that are not to be found in the caste reference lists, or words like Christian and Muslim which refers to the religion rather than the caste (Bhana and Brain 1990: 28). Generally, between 1860 and 1868 and again between 1874

and 1911, around 176,000 Indians of all faiths were brought to Natal, of whom an estimated seven to ten percent were Muslims (Tayob 1995: 45-55; Shell 2005: 20).

These indentured labourers were then followed by a second group of Indians who came as traders and paid their own fares to come to the colony, and were thus called 'passengers'. The percentage of Muslims within this second group was much higher. Coming mainly from Gujarat, Muslims constituted between eighty percent and ninety percent of this group — which is approximately 4,000 Muslims (Tayob 1995: 45-55; Shell 2005: 20; Vahed 2005: 129).

In spite of the fact that both indentured labourers and free passengers in Natal all originated from the Indian sub-continent, they were far from a homogenous group; right from the outset 'there were significant differences of class, language, region, and ethnicity among migrants' (Vahed 2005: 129). In terms of language, for example, Muslims who came from the southern parts of India spoke Tamil and Telugu. On the other hand, Muslims who came from the northern parts of India spoke dialects of Hindi like Braj, Bundeli, Awadhi and Bhojpuri. Socio-economic status has also set the Natal Muslim indentured labourers apart from Muslim traders.

Evidence suggests that identity politics and identity labels were part and parcel of the lives of early Muslims in the Natal Colony and indeed wherever they lived. In order to keep certain privileges, free passenger traders, for example, were always keen to distinguish themselves from indentured workers. The former group thus insisted that they were classified as Arabs and not Indians (Vahed 2003). In 1885 a group of thirteen Gujarati Muslims who were trading in the Orange Free State signed a petition in which they wished to be classified as citizens, not as 'coloureds' — which at that time meant blacks. The petition stated that being classified as coloureds is 'the most humiliating for their dignity' (Bhana and Pachai 1984: 31-32).

Interestingly, socio-economic status has a huge impact on how the two groups practiced their religion - a point that I will expand on more in Chapter 6. On one hand, the financial means available to Indian traders enabled them to build mosques soon after they settled in the colony. For example, the Jumuah Masjid and West Street Masjid were built in 1881 and 1885 respectively. Furthermore, certain practices such as commemorating the martyrdom of *Imam* Hussain (known as Muharram festival) were not welcomed in these mosques. It was the arrival of Soofie Saheb in 1895 that enabled

the indentured Muslims to found their own places of worship where they could freely practice their own rituals. It is also worth noting that even within the trader groups ethnic divisions were pronounced in mosques. While Jumuah Masjid, for example, represented Memon traders, the West Street Masjid represented Surtee traders of Gujarat (Vahed 2003).

In addition to the indentured labourers and free passengers, there was a third group of Muslims who landed in Natal between 1873 and 1880, those are the Zanzibaris. They are believed to be the descendants of Africans from the mainland of northern Mozambique who had been captured during the last quarter of the nineteenth century by slave traders, but then freed by the British Navy as part of the anti-slavery efforts. They were then brought to Natal where they were given into indenture — in the same fashion of Indian labourers. They were welcomed by White farmers who were in need of labour during the temporary suspension of indentured Indian labour. Although few of them came to Durban via Zanzibar, they were collectively called Zanzibaris (Argyle 1981: 242; Kaarsholm 2006-2007: 50).

As was the case with the Indians, identity labels were played out in the lives of those Zanzibaris. In 1938, as a result of a legal suit brought by some Zanzibaris — challenging their classification as ‘Natives’, their racial classification was brought under official review, and it was suggested that because of their mixed origin they might be classified as Coloured. However, this suggestion was met by dissatisfaction on the part of Coloured people who feared an increased competition over the scarce resources assigned to the Coloured population. Eventually, the term ‘Zanzibari Arabs’ appeared as a name group in the Population Registration Act of 1950. In 1968 Zanzibari Arabs were considered one of the seven subsections of the statutory ‘Coloured’ community which suggests that they retained a certain distinctiveness, at least in the eyes of the apartheid clerks (Argyle 1981: 243; Shell 2005; Kaarsholm 2006-2007:52-54). A high degree of mobility has characterised this group of population in the course of their history; as some individuals ‘managed to become ‘Coloured’, some became ‘Other Coloured’, a few became ‘Indian’ and a few ‘Bantu’ (Argyle 1981: 243).

After the two main waves of immigration, the Coloured Muslim community, and to a lesser extent the Indian Muslims, were almost completely cut off from their countries and places of origin. However, internally, these groups of Muslims kept

moving within South Africa and spread into other parts of the country. For instance, after completion of their contracts, the free Indians managed to move into the interior of South Africa and further around its coastline. They went as far as Kimberley and Witwatersrand as well as to Cape Town where they set up their own mosque as early as 1892 (Shell 2005: 21).

A quick comparison between the course of Islam in Africa and that of South Africa reveals the unique history of Islam in the latter. Whereas Islam in the rest of Africa has spread thanks to the settlements of Arabs or Persians, Islam in South Africa was a direct result of immigrant Muslims from South and Southeast Asia.⁶ It is worth noting that the first time in the history of South Africa that it was possible for Islam to be practiced in public with the approval of authorities was during the second British occupation, in 1804. It was due to the banning of Islam, especially in the Cape, that the expression of Islam took different forms between the Malay Muslims on one side and the Indian Muslims on the other. Although these restrictive laws did not ban Muslims from practicing Islam in private forms, they definitely affected the public expression of the religion; whereas it took the Cape Muslims nearly a hundred years to erect their first mosque, it took the Indian Muslims in the Natal Colony around twenty years from their coming to the colony to build their first mosque.

1.4.3 Apartheid policies and South African Muslims

As I illustrated in the previous two sections, the arrival of Islam and Muslims to South Africa followed different paths which led to the formation of distinct Muslim communities in South Africa. Furthermore, the apartheid policies came to accentuate these distinctions and thus contributed to a further state of isolation; on one hand, between Muslims in South Africa and the broader Muslim world, and on the other hand between the Muslim communities that came to share the same geographical territory of South Africa. Although the apartheid system was dismantled more than twenty years ago, the current profile of Muslims in South Africa, in terms of their geographical distribution and inter-relations between different Muslim communities, are only

⁶ For more details about the History of Islam in the African continent see: Hiskett, M. (1994). The Course of Islam in Africa. Edinburgh, Edinburgh University Press.

understandable in the light of the apartheid policies which affected all South Africans and Muslims as part thereof.

One of the cornerstones of the apartheid policy was the Group Areas Act on 27 April 1950. Although this piece of legislation was not directed at Muslims per se, Muslims, as part of different racial groups identified by the various apartheid legislations, were severely affected. Muslims were forced to move from many areas in which they had already established themselves and built mosques and *Madrasas* (ICSA 1984: 26). One of the stark examples in the history of Muslims were the forced removals from District Six in Cape Town, after being declared a "whites-only" area under the Group Areas Act in February 1966.

Apartheid policies also confined Muslims from different racial groups to certain places. The direct result of this segregation was the limited interaction across the racial boundaries between different Muslim communities. As will be revealed later in chapter 6, this separation negatively affected interrelations especially between African and Indian Muslim communities. Apartheid policies made it increasingly difficult - if not impossible - for Muslims of different race groups to live together and intermingle freely; the direct result was thus 'the unhealthy tendency to place too much emphasis on cultural and social differences between Muslims who have different backgrounds' instead of celebrating unity as argued in the Islamic council of South Africa publication (ICSA 1984: 28)

On a more positive note, apartheid policies were perceived by many Muslims interviewed during my fieldwork as having had some positive impact as far as Muslims' religious identities are concerned. Some areas that were declared Indian-only areas and thus had large Muslim population, such as Lenasia and Laudium in Johannesburg and Pretoria respectively, helped Muslims to live together and practice their religion in a more accepting environment. One respondent explained:

Some older Muslim people think that when areas were more closed, the Islamic ideals were more protected because you are not mixed with non-Muslims and non-Islamic values.although the apartheid is absolutely wrong and criminal, but if you ask me if it was easier to keep our deen among our children I would say yes it was. (Interview with Zarina Hassem, Johannesburg, 24 March 2009).

Even after the transition to democracy, place continues to play a major role in forming Muslims identities. Most of my informants expressed their preference to reside

in areas like Lenasia and Laudium where there is a predominantly Muslim population. In her answer to my question whether Muslims now tend to move out of Laudium and Lenasia, Quraysha replied:

The concentration of Muslims will still be there; people still want to stay near the Islamic schools. The very upper class are moving out to the more affluent areas. By affluent I mean the previously white areas. It is not such a massive move still. Why? Because within the affluent upper class you have the older generation and the new generation. Older generations still prefer to stay in their homes in Laudium or in Lenasia near the masjid, the spice shops and *balal* outlets; the *balal* outlets are also important in the decision why they don't want to move. If people want to eat out, they don't want to travel too far to eat out. The newly married couples who don't have kids going to schools are the more likely to move out. (Interview with Quraysha Yousuf, Pretoria, 24 August 2010).

By the same token, Najma Khota confirms the religious identities have been preserved due to proximity to Mosques and *Madrasas*, however, she said that the younger generation is facing challenges, as they are not confined to Muslims predominantly areas:

Because we have a mosque on the corner, and I know my sons will go to the masjid to perform salat. And we have *Madrasas* everywhere. We are fortunate... The young generation, are reaching out they are not in Lenasia every Friday night or the weekend. So in terms of identity and holding to Islamic heritage it is disappearing (Interview with Najma Khota, 30 March 2009).

Another positive impact in favour of Islam as some studies argue is the spread of Islam, especially amongst Black population. The perceived link between Christianity and apartheid increased conversion to Islam within the rank of the indigenous population. A publication by the Islamic Council of South Africa entitled 'Meet the Muslims of South Africa' reports:

The original inhabitants of the country- The African population- are disappointed with the attitude, conduct and actions of their fellow white Christians. They are realizing, more and more, that Christianity by being the handmaid of the State has failed them and that their fellow white Christians have given them a raw deal. They are turning to other ideologies and to Islam for guidance.... The Islamic principle of Human Equality and Justice are recognised as providing solutions to the problems of South Africa. The simple doctrines of Islam appeal and attract the oppressed and deprived as well as giving intellectual satisfaction as spiritual fulfilment (ICSA 1984: 28)⁷

The same conclusion was confirmed by Andreas Maurer (1999) who studied conversion motives of Christians AND Muslims. He attributed the conversion from

⁷ Although Charles Villa-Vicencio (1992) did not deal with the issue of conversion as such, he highlighted the negative impact caused by the close alliance between the Afrikaner churches and the Afrikaner. To quote Villa Vicencio: 'the mention of the name of the Christian God within the South African constitution has probably done more to alienate exploited black people from the church than any secular or atheist state philosophy could ever have accomplished' Villa-Vicencio, C. (1992). A Theology of Reconstruction: Nation-Building and Human Rights. Cambridge, University of Cambridge. p. 265

Christianity to Islam to socio-political motives. Five out of ten converts stated that ‘the socio-political situation in South Africa was a reason for them to convert to Islam’ (Maurer 1999: 225). Furthermore, four of these five converts said that this motive was ‘the initial’ factor why they were motivated to consider an alternative religion. On the other hand, according to the same research none of the interviewees who converted from Islam to Christianity implied that socio-political motives played any role in their conversion experience, the political climate did not seem to promote conversion from Islam to Christianity (Maurer 1999: 225). In the same vein, Ephraim Mandivenga argues that conversion to Islam was prompted by negative experiences within Christianity such as being turned away from a segregated Church service, or hearing derogatory remarks about African culture. Christianity was thus seen as the ‘faith of the oppressors who perpetrated apartheid in the name of God’ (Mandivenga 1991: 82; Lee 2002: 132).

Starting from the 1960s, Islam was slowly making some inroads and gaining followers in the African townships around the country. Tahir Sitoto confirms that the 1970s and the 1980s in particular are considered a turning point in African conversion to Islam, with many African youth undertaking ‘a conscious journey into Islam’ (Sitoto 2002: 4). Studies conducted by Christian scholars had come to the same conclusion; for example a study by J.N.J. Kritzinger concluded that ‘Islam will grow extensively amongst the Black communities in South Africa’ and he went further to consider this growth as ‘the immediate challenge we have to face’. In 1982, the Dutch Reformed Church requested investigating the status of Islam in South Africa (Haron 2006: 447). In 1986, the Muslim Youth Movement translated and published a report issued by the Dutch Reform Church, in which concern was expressed because of the conversion of ‘many Blacks and Coloureds’ who turned to Islam as ‘an ideology that could enhance the freedom struggle’. Furthermore the report stated that ‘radical [Muslim] leaders seek association with Black youth and present Islam to them as a religion for the oppressed as opposed to Christianity which is the religion of the oppressors (Dutch Reform Church, 1986: 5-6, 13). The report then called for an active missionary work directed to the Muslim population estimated then at 328,000 (Dutch Reform Church, 1986: 5).

1.5 The current profile of Muslims in contemporary South Africa

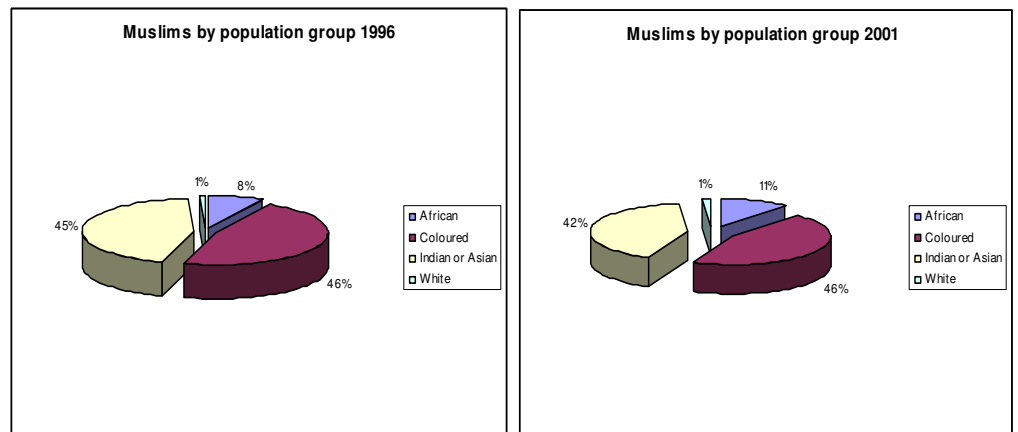
The current demographics of the Muslim population in South Africa have been heavily influenced by the various histories of Muslims as illustrated earlier in this chapter. The geographical spaces that early Muslims occupied upon their arrival have hardly changed. Moreover, as I argued earlier, apartheid policies intensified this situation and created a sense of place and space that continues to impact the ways in which space plays a major role in Muslims' sense of themselves. In this section I provide an overview of the Muslim population; their numbers and their geographical distribution in the different provinces of South Africa.

Between 1980 and 2001, South African statistics reveal that the Muslim population increased by about ninety-nine percent. According to the 1980 census there were 328,440 Muslims in South Africa. This represents 1.34 percent of the total population then. Of these 50.87 percent were Coloured, 48.7 percent Asians, 0.37 percent Europeans and 0.06 percent Africans (Sicard 1989: 202). The number of Muslims increased in the 1991 census to 338,142. Subsequent censuses reflected a continuous increase in the number of Muslims from 553,585 in the 1996 census to 654,064 according to the last census in 2001. It is worth noting that the World Value System's (WVS) data on religious affiliation 2001 confirms this increase in Muslim population.⁸ This data suggests that while Christianity is set to decline, Islam is growing (Erasmus and Hendriks 2003: 80). Unofficial estimates from within the Muslim community put the community population as high as one million, as claimed by Media Review Network, or even at two million as stated by Awqaf SA (Haron 2003b: 100).

According to official statistics, Islam is a minority religion and its adherents amount to less than two percent of the overall population of more than forty-seven million (according to mid 2007 estimates). Even in relation to Coloureds and Indians, Muslims are a minority constituting a quarter of the Indian population and only eight percent of the Coloured population (Vahed and Jeppie 2004: 252).

⁸ World Values Survey (WVS) is a world wide survey that looks at socio-cultural change around the world and takes place every five years. In South Africa the WVS was conducted by Markinor, an internationally accredited South African market research company. The controversy surrounding the methodology and results of the national census led some researchers to compare the census finding with the WVS data.

Figure 1 Muslims by Population Group 1996, 2001



Source: Statistics South Africa (2004: 25, 27)

As for the racial composition of the Muslim population, the two largest racial groups are the Coloureds and the Indians, estimated at 296,021 and 274,932 respectively. Indian and Coloured Muslims account for slightly less than ninety percent of the whole Muslim population (see Figure 1).

Although increases were recorded for all ethnic groups between 1996 and 2001, the most significant rise is taking place among Black Africans. In 1980 the African Muslim population numbered only 9,048, or 2.5 percent of the South African Muslims population. By 1991, however, this number had increased by nearly fifty-two percent to 11,986 (Vahed and Jeppie 2004: 253). This upward trend continued in the meantime, as shown by the 1996 census figure of 43,253, climbing to 74,701 by 2001. According to the latest statistics, eleven percent of South African Muslims form part of Black African communities. Despite this increase, some studies show that there is a gap between the numbers given in the statistics and the informal and unofficial numbers provided by local mosques. For example, Rebekah Lee in her study about conversion in Cape Town argues that whereas the official figures estimate the numbers of African Muslims in Greater Cape to be 3,400, oral testimonies and figures provided by mosques suggests a much bigger number (Lee 2007: 126-127).

Although the history of African Muslims in South Africa can be traced to the early nineteenth century and also to the arrival of the Zanzibari community between

1873 and 1880 in Durban, as I have shown earlier, it is argued by various scholars such as Tahir Sitoto that African Muslims from the indigenous sector entered Islam mainly through 'conversion', as was illustrated in the previous sections.

Describing the increasing presence of Islam in the African townships across the country, Tahir Sitoto states:

Protruding minarets into the African sky have now become a permanent feature in some of the major townships. Soweto has two mosques...In KwaZulu Natal, near Durban, the sprawling township of KwaMashu boasts one of the earliest mosques to be erected from the ground in an African township (Sitoto 2002: 4).

As for the distribution of the Muslim population across the nine provinces of South Africa, Table 1 shows a significant demographic concentration in key areas. Western Cape, for instance, accounts for approximately forty-five percent of all Muslims. Gauteng comes second with approximately twenty-three percent KwaZulu Natal comes third with twenty-two percent, with the remaining ten percent distributed over the remaining six provinces. The majority of the Malay Muslims (Cape Muslims) are concentrated in the Western Cape area, centred in the Cape Peninsula. Indian Muslims are spread over larger cities such as Johannesburg, the Witwatersrand metropolitan area, Durban and Pietermaritzburg (Nkrumah 1989: 521; Mandivenga 2000:349; Omar 2004: 53).

An even closer look at the geographical distribution in the provinces reveals a high concentration of Muslims around certain areas. In Gauteng, for example, Muslims are concentrated in areas like Laudium in Pretoria, Lenasia, Fordsburg, Mayfair, Benoni and Florida in Johannesburg. This pattern is also applicable in the Western Cape: Muslims are concentrated in areas like Gatesville, Grassypark, Athlone and Hanover Park. Muslims are also highly urbanised, according to the WVS survey. 78.1 percent of Muslims are concentrated in metropolitan areas greater than Hindus (74.3 percent) and Christians (31.5 percent) (Erasmus and Hendriks 2003: 88-89). As for education, the survey reveals that 87.5% of Muslims have some high school and higher education (Erasmus and Hendriks 2003: 88-90).

Table 1 Muslim population per province and racial group

Province	African	White	Indian	Coloured	Total
Eastern Cape	3,601	630	5,866	9,575	19,672
Free State	1,798	108	1,847	284	4037
Gauteng	24,597	2,967	98,823	23,695	150,82
KwaZulu-Natal	2,987	1,036	117,424	6,143	142,60
Limpopo	3,760	90	6,242	195	10,87
Mpumalanga	9,429	227	6,680	500	16,36
North West	738	65	1,015	2,833	4,51
Northern Cape	4,717	221	7,234	961	13,33
Western Cape	8,204	3,065	29,800	251,837	292,06
Total	74,701	8,409	274,931	296,023	654,64
Percentage	11.42	1.28	42.04	45.26	100.0

Source: (Vahed, & Jeppie,2004: 253)

Table 2, shows the distribution of the Islamic institutions such as the masajjid, Islamic educational institutions and Islamic organisations. This distribution also reflects the above mentioned concentration. Gauteng, Western Cape, and KwaZulu Natal have the largest number of these organisations. However, a closer look would reveal an even more unbalanced distribution of these organisations and thus imbalances in resources distribution, an issue that I will expand on more in Chapter 6.

Table 2 Mosques, Islamic Organisations and Educational Institutions in South Africa's Nine Provinces 1996

Province	Mosques	Organisations	Educational Institutions
Eastern Cape	21	12	20
Free state	10	6	8
Gauteng	122	128	108
KwaZulu- Natal	116	125	109
Mpumalanga	35	8	22
North West	25	6	19
Northern cape	4	2	3
Limpopo	11	6	11
Western Cape	111	172	108

Source: Compiled from Davids, M. (1997). Directory of Muslim Institutions and Mosques in South Africa. Maraisburg, SPAL.

1.6 Methodology

Field work and data collection for this research have been conducted over a total period of eleven months in South Africa. The main fieldwork lasted for nine months; between August 2008 and May 2009. That was preceded by a five week exploratory field trip in August/September 2007, and followed by three weeks in August/September 2010.

The main mode of data collection has been in-depth semi-structured interviews. The interviewees came from a broad and diverse background. As the focus of the research was initially based upon the processes according to which Muslims' identities are constructed and negotiated, most of the interviews especially during the early phases of the fieldwork were conducted with people who I believe are playing a role in these

processes, such as religious leaders, media workers, activists in different Muslim organisations, and political figures. However, as the research progressed, it was inevitable to include rank and file Muslims whose views are essential to get a grasp of the processes and their outcomes. This also helped to examine the different discourses and see whether or not these different discourses generated from these 'key players' resonate with the broader Muslim community.

In total I interviewed forty-seven individuals in one-to-one interviews; these included 15 female respondents and 32 Male respondents. The majority of my interviewees were South African nationals, except for two; one from Malawi and the other from Ghana (full details of those individuals, dates and places of interviews are listed in Appendix One). All the interviews have been recorded and transcribed.

Additionally, twenty-two individuals took part in four group discussions (listed in details in Appendix Two). A number of factors have informed my decision to conduct focus groups. First, by conducting focus group discussions I sought to give voices to the sections of the Muslim population that were less represented in my interviews particularly African Muslims. It has been obvious after the first few months of conducting interviews that African Muslims are not represented in the organisations I had contacted. The under-representation of African Muslims was reflected in the fact that apart from three interviews conducted with African Muslims (two males and one female) — I did not manage to meet other African Muslims. It was upon a suggestion of one of my African informants whom I met earlier that I went to the main sites of African Muslims gatherings namely mosques and Jama'at Khana in Soweto. Although I initially suggested having one-to-one interviews it was obvious that my African respondents preferred to meet in groups and that was when I decided to conduct focus groups rather than interviews. In addition to African Muslims I also sought to give voice to Muslim women by conducting a focus group with seven Muslim females. The fourth focus group was conducted with a group of Somali-immigrants whose input regarding Muslims' attitudes towards foreigners were equally invaluable. All four focus groups were homogeneous in terms of ethnicity (two with African Muslims, one with Indian Muslims, and one with Somali Muslims). Furthermore, they were homogeneous in terms of gender (one female focus group and three male focus groups). All the four focus groups constituted of pre-existing groups; participants were either work colleagues

—as the case with the Muslim female focus group— or friends — as in the case of African and Somali focus groups. Pre-existing social groups meant that I did not contact each member of the group prior to the meeting, but rather contacted one member who in his/her turn contacted other group members and facilitated the group meeting. The advantages of pre-existing groups are multifaceted; first they provide the ‘natural’ social contexts within which ideas are formed and decisions are made. Secondly, participants who belong to pre-existing social groups may bring to the discussions comments about shared experiences and events and may challenge any discrepancies between expressed beliefs and opinions and actual behaviours. Furthermore, pre-existing focus groups enable the participants to share their views in a ‘non-threatening environment’, thus it encourages individuals’ discussions especially regarding ‘sensitive’ issues (Greenbaum 2000: 6,12; Bloor, Frankland et al. 2001: 20-22). In the light of previously mentioned potential advantages of focus groups discussions in general and pre-existing homogeneous focus groups in particular, it is obvious that the debates in the focus groups generate rich material regarding all the different aspects of the research. The debates were particularly rich in discussing inter-community relations and dynamics which is attributed to the fact that the focus groups were homogeneous in terms of the ethnic composition as well as gender. Focus group literature suggests that the more interesting and valuable discussions tend to come up naturally from the interaction between participants. In order to encourage this natural interaction, I opted to keep my involvement in the discussion at the minimal level by only facilitating the group discussion rather than asking opinions of each of the participants in a one-to-one format without encouraging the group interaction.

It is against the previous backdrop that both in-depth semi-structured interviews along with focus groups formed a part a multi-method research design, where data generated by focus groups supplement data gathered through interviews, both have helped deepening and enriching my understanding to a highly complicated and multi-faceted research topic.

Because I am aware that interviews whether one-to one or group discussions alone cannot produce material that is representative to the whole Muslim population, I

sought to complement the data obtained by looking at the Islamic media⁹, particularly newspapers and radio programmes. The essential role of media in the social transformation in South Africa has been underscored by many (See for example: Wasserman 2005; Hackett 2006) not least because they are ‘important sources of public information and channels of communications, they also serve as important conveyers of the identities and interests’ (Zegeye and Harris 2002: 239-240). For minority groups, community media is more vital as it provides these groups with their own voices and alternative sources of information. In my quest to unpack Muslims identities in South Africa, the focus on media was invaluable in two ways; first of all, it provided an opportunity to look at the debates and discourses within the community particularly with regards to the issues in question. Additionally, it gave me the opportunity to draw on broader perspectives than could be achieved only through interviews given the limitation of the numbers and the locale, as I will explain later.

As far as the print media is concerned, I relied on three monthly newspapers, namely *Al-Qalam* (established 1971), *Muslim Views* (established 1960), and *Islamic Focus* (established 2006). The three newspapers are published in Durban, Cape Town and Pretoria respectively.¹⁰ Whereas the first two are distributed nationally and claim broad nationwide readership, the third has limited distribution and differs from the other two in that it is published and issued by Centre of International Political Studies (CIPS), which is an academic research centre affiliated to the University of Pretoria. The latter was also short lived as it stopped in 2008.

⁹ By Islamic media, I mean media funded and controlled by Muslims. It should be noted, however, that there have been attempts to accommodate different religious traditions within the main stream media in South Africa, through religious broadcasting of faith-based programmes. As a result of the introduction of religious broadcasting policy, the South African Broadcasting Corporation (SABC) committed itself to provide religious programmes and to broadcast religious material in a manner ‘unbiased and representative of South Africa’s religious plurality’. Islam along with Christianity, African religion, Hinduism and Judaism have been granted airtime in the SABC TV and radio stations Islam was allocated 7.5% of the total airtime dedicated to religious broadcasting.

¹⁰ The Muslim community produces a huge number of small publications and newsletters (to mention but a few: *Al-Rasheed* (est. 1989) by Jamiat al-Ulama of Transvaal, *Ad-Dawah* (est. 1995) by the Muslim Judicial Council(MJC), *the Majlis* published by Majlis Ul-Ulama of Port Elizabeth, *Al-Miftah* published by the Islamic Unity Convention (IUC), and *Islamic times* by Murabituun. Individuals also embark a number of newspapers such as *Muslim Horizon*, *Muslim Mirror*, *Cape Crescent*). These publications are, however, difficult to obtain due to their limited distribution; furthermore, their focus is predominantly on religious matters.

In addition to the print media, I also regularly followed programs on radio stations particularly on Radio Islam (broadcast from Lenasia-Johannesburg) and Voice of the Cape (VOC) (broadcast from Cape Town).¹¹ The relevance of radio stations' material as a source of rank and file Muslims' voices could be justified by the following:

Firstly, a community radio station, by definition, is a 'small-scale decentralised broadcasting initiative which are easily accessed by local people, actively encourage their participation in programming and which include some element of community ownership or membership' (quoted in Haron 2004: 126). Thus unlike other main stream mass media, community stations are more participatory because of their proximity to the listening community. This participatory nature makes community radio stations ideal sources to obtain the voices of rank and file Muslims and hence overcome the limitations of interviews and focus groups—as identified above.

Secondly, the way by which radio stations have been established reveals a lot of critical dynamics regarding the role of the religious establishment in the Muslim community and the relations between these and other key players in the community. Islamic radio stations are closely linked to the religious leadership and particularly the 'Ulama organisations which backed and sponsored the applications for establishing Islamic radio stations in the first half of the 1990s. In this context, Radio Islam enjoys the support of Jam'iatul 'Ulama, while Voice of the Cape is backed by the Muslim Judicial Council. This close link reveals, as we will see later, a lot of interesting dynamics in the processes surrounding identity construction and expression. Cassiem Khan of Islamic Relief grasps the nature of relations between religious bodies and radio stations and the formers domination on the later by saying:

¹¹ It is worth noting that the Independent Broadcasting Authority (IBA) received two hundred applications for community radio station licences; out of which nineteen were from religious groups or organisations. From these nineteen applications, seven represented urban-based Muslim organisations. IBA granted temporary licences to only five Muslim applicants, namely: As-Saut (The Voice) which was managed by MYM President Naeem Jeena. Radio Islam, sponsored by Jam'iatul 'Ulama- Lenasia branch, Al-Ansaar radio station sponsored by Al-Ansaar Educational Foundation, Radio 786 supported by Islamic Unity Convention (IUC), and finally Voice of the Cape supported by Muslim Judicial Council (MJC) in Cape Town. Both Al-Ansaar and Radio 786 has temporary restricted licenses, while As-Saut is no longer active. Leaving Radio Islam and VOC the ones that could be focused on to get the voices of the rank and file Muslims heard.

So the Voice of the Cape emerges as a radio station of the Cape 'Ulama and as much as people like Munadia Karaan and Shafique¹² are very strong people and they know how to handle the Ulama the point is that the station is dominated by the Ulama (Interview with Cassiem Khan 21 January 2009).

The same point was confirmed by a number of informants; Najma Khota for example who used to work for an Islamic Radio station before moving to Channel Islam International told me that religious leaders 'are consulted at every thing' and that this kind of consultation 'is happening at all levels' (Interview with Najma Khota, 30 March 2009).

Thirdly, the scale and size of listenership is another reason why media broadcasts could be a viable option to represent the voices of rank and file Muslims. For example, Radio Islam and VOC claim wide listenership of more than 100,000 and 245,000 respectively. VOC programme manager Munadia Karaan reflected on the achievement her radio stations has been making regarding people's engagement and participation in the channel:

It is much more active engagement now, I have been working here for eight years now, and it is different when you find your ordinary listeners now telling you: 'I don't listen to anyone else now for news...I only listen to what you tell me on the news...I get the picture of what is happening in the world from you, I get the news about my neighbours' back yard from you.. whatever I get all of that from you (Interview with Munadia Karaan, 8 October 2008).

Fourthly, although Islamic radio stations have an obvious and also unmistakable religious aspect, they seek to involve Muslims in wider debates that not necessarily of religious nature. That is true in VOC and to a lesser degree Radio Islam. Munadia Karaan draws a fine line between being a community radio station and a Muslim Radio station by telling me:

We don't believe that we are only a Muslim radio station, and we phrase it in a very careful way, we are a community station with Islamic ethos, and this is very different than being a Muslim radio station, because we don't only broadcast religious content. I mean the discussion of politics that secular supposedly, and I need to understand that because I am a citizen of that country, so I can't just talk religion all the time (Interview with Munadia Karaan, 8 October 2008).

A final reason why radio stations could be considered a valid source for rank and file Muslims' voices is related to the different forms of engagement and participation made available to listeners such as call-in programmes which serve as platforms where individuals express their opinions and which succeeded in drawing a specific section of

¹² Munadia karaan is a programme manager in the station, wil Shafique is a journalist and presenter in the same station.

the Muslim and non- Muslim audience (Haron 2004: 153). Another way to encourage people's participation has been through conducting different polls to shed some light on listeners' opinions towards different issues. For instance, VOC carried out numerous polls to ask the listeners about Ebrahim Rasool and his position within the ANC, Zuma as a presidential candidate, the religious establishment and their role in politics.

In addition to Islamic media, I will also focus on the religious establishment represented by different 'Ulama groupings. In any Muslim community, the *mimbar* (pulpit) is believed to be the most important platform; from the pulpit 'Ulama constantly address 'fundamental issues of meaning, purpose, morality and values' (Hudson 2004: 10; see also Moosa n.d.). Thus any understanding to Muslim politics in its broader meaning requires close appreciation to the role played by 'Ulama despite the fact that there is no clergy in Islam and despite the fact that there has never been theocracy in Islam (Roy 1994: 28-30). In this regard Hefner (2005: 5) rightly argues that it is an integral part of Muslim politics that 'Ulama 'have the right and duty to make sure that all major development in politics and society are in conformity with God's commands'. Although Hefner's comment was made in relation to countries where Muslims are in the majority, I find this equally relevant in the South African Muslim context. In a poll conducted by VOC regarding the role religious bodies should play in politics seventy-three percent of the people took part in the poll agreed that MJC had to give guidance on 'both religious and current affairs (Al-Qalam, October 2007). The influence of the religious establishment was reflected in an article published in *Al-Qalam* newspaper in which the hegemony of 'Ulama is described and challenged:

For decades in this country, the Muslim community has been given the same hogwash: only 'Ulama can speak in the mosque, only 'Ulama can interpret the Quran, no ordinary (non-alim) Muslim is allowed to read the Quran in any translated form unless in the company of an alim, only 'Ulama can speak about what is *halal* or *haram* and so forth...it was as if there is a special class of man in the Muslim community called 'Ulama who had some Divine right to be the repositories of guidance and knowledge. And that repository was handed to them because they spent some time in some or other anointed institution. As a result, they became the inheritors of the prophets (Al-Qalam, Qualified or not: the Quran is ours, n.d.).

Mahmood sanglay attributes the influence enjoyed by religious bodies in South Africa to:

its access to and control of the *mimbar* (Pulpit) as one of the most powerful platforms in the community, its access to capital via *halal* trust, its access to provisional and national government, and its connectivity to international entities, such as the government of Saudi Arabia and forces in Palestine (Sanglay 2009: 45)

In this thesis, I focused on the three major organisations that represent clerics and religious leaders across the country. These are Jam‘iatul ‘Ulama (JU) — established 1923, The Muslim Judicial Council (MJC) — established 1945, Jam‘iatul ‘Ulama KZN — established 1952. In addition to two smaller cleric bodies: Majlis al-Shura al-Islami and the Majlisul ‘Ulama of the Eastern Cape. Except for two interviews with *Imams* I have not managed to secure interviews with the main religious body in Gauteng i.e. Jam‘iatul ‘Ulama, probably because of the conservative nature of the organisation. For that reason I relied heavily on different publications issued by these religious organisations as well as the *fatāwa* (religious opinions/rulings) that they give towards different matters. These newsletters and other material helped in offering insights into the views and opinions of the religious leadership.

As for the locale, during the exploratory fieldwork I visited all three provinces with the largest Muslim populations and conducted interviews in the Western Cape, KwaZulu Natal and Gauteng. However, eventually I decided to focus my work in only one province, specifically Gauteng, for a number of reasons. First of all, Gauteng has the second largest Muslim population in South Africa after the Western Cape (see table1). Secondly, the Muslim population in Gauteng are very diverse in terms of ethnic background (see table 1) which gives me the opportunity to look at the dynamics of identity construction in a more diversified community. Third, as a result of the financial and organizational capacities of Muslim communities in both the Western Cape and KwaZulu Natal, the debates and discussions within these communities could be easily followed through Islamic media broadcasted and published from Cape Town and Durban respectively; meaning that my choice to conduct fieldwork in Gauteng gives me the opportunity to engage in the discourses of Gauteng Muslim communities without missing developments, discourses and debates going on in other provinces. Finally, other more practical reasons related to available funding and limited time frames meant that it is next to impossible to conduct field work in more than one site. Although geographically I conducted my interviews in Gauteng, I argue that my research and its findings represent the broader Muslim community thanks to the mixed-methods approach that I have adopted in data collection.

Except for the aforementioned difficulty I faced in interviewing key leaders in the main ‘Ulama bodies, access to the field was unproblematic. I was welcomed by most

participants who did not hesitate to take part in the study. Although in all cases I offered to show letters from the university and supervisors as a proof of the research I was doing, I was not asked to provide these. Only on one occasion did this occur when I interviewed a community activist who was working for a leading Islamic NGO, and who made sure that I sent him the document prior to the scheduled interview. His concerns stemmed from the international environment that is surrounding Islamic organisations in general and those that work in distributing aid in particular. During the interview he recalled a number of occasions where a researcher received access to the organisation claiming to be doing research, and then was found to be spying on the organisations' funding and aiding distribution (Interview with Cassiem Khan, 21 January 2009)

It is almost agreed amongst researchers that the researchers' own identities influence the research to a great extent; starting from choosing the research topic, to fieldwork and data collection phases and finally how one interprets and reads the data available. Creswell (2007) argues that the researcher is no longer viewed as 'the omniscient, distanced qualitative writer', on the contrary researchers are influenced by their own cultural, social, gender, class, and personal politics that they bring to research (Creswell 2007: 178- 179). Not only that, it become a common practice for researchers to be conscious of their own biases, values, and experiences and to reflect on that in their own writing and reporting (Salzman 2002: 806; Creswell 2007: 243- 244).

Two aspects of my identity have influenced the course of the research to a great degree; namely my being a Muslim and an outsider to South Africa. A number of researchers reflected on how their identities had an impact on their own research, I found particularly interesting, and maybe close to my experience, Shehata's (2006) narrative on this particular issue. Being a Muslim himself, Shehata — who carried out research about working-class culture and class formation in Egypt — recounts how sharing the same religion as the workers he worked with in his research was 'a source of bonding and membership' between himself and others (Shehata 2006: 255). I believe my experience was very close to Shehata, in a sense that being a Muslim was a 'source of bonding and membership'. Salzman (2002: 809) however, rejects the notion that sharing characteristics such as religion, gender, nationality and race does not necessarily make the researcher more capable of telling, understanding and interpreting particular aspects

of the researched community. Although I totally agree with Salzman, I also argue that sharing the same faith as my informants enabled me to conduct interviews in more natural settings such as scheduling an interview after performing Jama'a (congregational prayer) in a mosque or Jama'at khana, or during sharing iftaar¹³ on a Ramadan night. A considerable amount of time either before or after interviews would be spent comparing aspects of Muslims' life in my home country i.e. Egypt— where I turn to be the interviewee rather than the interviewer.

Closely related to issues of reflexivity and my position as a researcher, I encountered another dilemma; Bruce (2003) argues that 'much writing on religion and politics is partisan'. Furthermore, it is more complicated if the researcher is an adherent to the religion that she is investigating. To borrow Bruce's words 'adherents are often concerned to alter the moral record so that their faith is credited with social virtues and avoids the blame for social evils' (Bruce 2003; xi). In the same vein, Hammersley and Gomm (2000: 153) warn that political and religious attitudes might 'discourage the discovery of uncomfortable facts and/or encourage the presentation of spurious 'findings''. From the onset of my research I found it challenging to draw a line between the 'researcher me' and the 'Muslim me'. I struggled not to look at the dynamics, practices and issues within the Muslim community and compare it with what and how it should be from an idealistic Islamic perspective. This is not to suggest that I am more religious or that I have a better understanding of *din* (religion). Issues like the permissibility of Muslim women to pray in the mosque for example, or the bitter sense of racism the Black Muslims suffer from provoked endless thoughts about the 'ideal Islam'. As a result, it was a consistent pre-occupation from my side to try and maintain a 'tune of religious neutrality' throughout my research.

Similarly, being an outsider— in this case a non-South African Muslim, also proved to have an influence on my research. Unlike the difficulties some researchers faced in getting access, especially to the Black Muslim community, I have been welcomed. Moreover, being an outsider meant the participants were free and more relaxed talking about sensitive issues, particularly those related to inter-community relations. This aspect proved to be of great value.

¹³ *Iftaar* is the meal Muslims eat to break their fast in the holy month of Ramadan just after the sunsets.

Finally, a community by definition is ‘a group of people draw on the same set of symbolic resources when articulating there sense of identity’ (Finlayson 2004: 281). Although we can not talk of a monolithic unified Muslim identity as will be clear in the course of this thesis, I opted to use the ‘Muslim community’ in a singular form rather than ‘Muslim communities’ throughout the thesis to refer to ‘the group of people who draw on Islam and Islamic injunctions when negotiating their sense of identity. I will, however, highlight the differences and the reasons behind these differences when relevant in due course.

2 Chapter Two: Conceptual and Theoretical Framework

2.1 Introduction

This chapter discusses the underpinning theoretical and conceptual framework on which this thesis is based. By discussing the major debates in identity literature in general and in the South African context in particular, this chapter aims to situate and link current research with the relevant broader literature. In addition, the debates regarding Muslims' identities in the broader African and global contexts are pertinent to the discussion in this chapter. This chapter will be divided into four sections. The first section will deal with the concept of identity itself. The second section will be devoted to the use of identity as an analytical tool. The third section will engage critically with the major themes that dominate the academic discourse regarding identities in the South African context in an attempt to link the current research to this growing body of literature. The fourth and final section will shed some light on the study of Islam and Muslim identities in both African and global contexts.

2.2 Identity: Defining the concept

Identity is an uneasy concept that we examine when confronted with uncertainty ... One thinks of identity when one is unsure where one belongs (quoted in Taylor and Spencer. 2004: 1)

We know of no people without names, no languages or cultures in which some manner of distinctions between self and other, we and they, are not made....Self-knowledge – always a construction no matter how much it feels like a discovery- is never altogether separable from claims to be known in specific ways by others (Calhoun 1994: 9-10)

Identity is both a psychological and a sociological term. It may provide a definition and interpretation of the self that establishes what and where the person is in both social and psychological terms. In this sense identity 'helps the individual to produce order in his or her own individual life... It helps to place that individual within a group or involves identification with a collectivity' (Guibernau and Rex 1997: 4). Identity is also 'a primary concept for understanding the relationship between the personal and the social realms; the individual and the group; the cultural and the political' (Zegeye and Harris 2002: 242).

Any talk about identity necessitates that we distinguish between personal identity and social identity. Whereas personal identity is made up of attributes that mark each

individual as different from others, social identity refers to social categories, attributes, or components of the individual that are shared with others and therefore define individuals as being similar to others. In other words social Identity refers to ‘that part of an individual’s identity that is supplied by membership in a group or groups and is influenced by the values and emotions of that group’ (Monroe, Hankin et al. 2000: 421). Social identity is defined by Tajfel (1978: 63) as that ‘part of an individual’s self-concept which derives from his knowledge of his membership of a social group (or groups) together with the value and emotional significance attached to that membership’.

Seeking association with larger social unites is a ‘human nature’ as argued by Alexander (2003: 104). This unit can be anything from small social clubs, to religious communities and nations. No matter what the unit is that the individual identifies with, it is what links the personal to the social. These different cultural, social, institutional and ideological contexts continuously influence how people perceive themselves as well as how they perceive others (Heywood 2007). In this research I am less concerned with the personal aspect of identity, I will not focus on the descriptions individual Muslims give for themselves, I am rather concerned with the social aspect of this identity, the one that is resulted from and associated with their membership of the Muslim community.

Whether identity is better understood through similarity or difference is a contested area. Some see identity as expressing an ‘identical’, naturally constituted unity among individuals or between the individual and the larger group. Some see that through difference individuals develop identities. It seems, however, that both are two faces to the same coin; as Calhoun (1994: 9) puts it ‘there is no simple sameness unmarked by difference, but likewise no distinction not dependent on some background of common recognition’. Hence, identities are constructed through difference — they, in other words, are the product of marking and exclusion, which means that through the relation with the different ‘other’, identities are formulated (Hall 2000:17). This relation to the ‘other’ is also stressed by Jenkins (2008: 5) who defines identity as ‘the human capacity to know ‘who’s who’ and hence ‘what is what’’, or in other words, ‘a multi-dimensional classification or mapping of the human world and our places in it’.

Moreover, an integral part of the identification process is the ‘continuity’ surrounding it. In this sense, identification is a ‘continuous process’; which means that

depending on how people perceive and react to self-identification, individuals might continue, modify or change this identification. Individuals, thus, are constantly involved in monitoring their self presentation and, as a result, individual and collective identity is open to continuous 'reassessment' (Taylor and Spencer. 2004: 2). Even if a specific identity is conceived —either by its adherents or those who do not associate with it — as having always been unchanged, this is not true (Greenstein 1998: 6). Jenkins (2008: 4-5) goes further in confirming the continuity aspect in the process arguing that 'not even death freezes the picture', as identity or reputation can be reassessed after one's death.

Another aspect that enjoys consensus amongst scholars is the fact that identities are social constructs. Social construction challenges the idea that identity is given naturally; that identity is produced purely by the acts of individual will; that individuals have singular integral harmonious identities; and finally, it challenges accounts of collective identities as based on some essence or set of core features shared by all members of the collectivity (Calhoun 1994: 13). Consequently, the academic focus is more on the processes according to which these identities are constructed and formulated. In order to understand the processes surrounding identity formation, Hall (2000: 17) suggests that we look at identities as 'products of specific historical and institutional sites within specific formations and practices'. Castells (2004: 7) also beautifully compares the processes of identity construction with the building process, the former involves 'building materials from history, from geography, from biology, from productive and reproductive institutions, from collective memory and from personal fantasies, from power apparatuses and religious revelations'. Furthermore, Hall (2000: 18) emphasizes the importance of power relations in construction processes. Another intrinsic dimension that would be reflected in the analysis in the following chapters is that the classification associated with the identification processes is not neutral but rather involves evaluation, rearranging in forms of hierarchies. These hierarchies, however, 'are never clear cut unambiguous or in consistent agreement with each other'(Jenkins 2008: 6,13).

Another contested matter in identity studies is the issue of subject agency and the extent to which the individual has choice and freedom in the whole process of identity construction. While arguing that there is indeed a human 'choice' in the matter, Taylor

and Spenser (2004: 2) state that this choice is ‘circumscribed’ by shared conventions, codes and values.

Since identity, as a concept, first emerged in the academic discourse, it has become a very popular topic, and has been linked to almost everything. As early as 1970s, some scholars have already expressed their anxiety towards the over-use of the term. However, this debate is more relevant today than ever. A quick survey of articles and book titles would reveal how much the term has been used and misused as almost all academic disciplines join what becomes a fashionable academic trend to study identity or claim to do such. The main critique behind the over-use of the term, as argued by Rogers Brubaker and Frederick Cooper (2000: 7-8), is that it can be used to refer to a wide range of things which not only could be heterogeneous but even sometimes conflicting and contradicting. For example, while some usages of identity highlight notions of fundamental sameness other usages reject these notions strongly. In this research I am less concerned with the ‘sameness’ aspect of identity. Rather, I will use the term to highlight what Brubaker and Cooper (2000: 7-8) call ‘the processual, interactive development of the kind of collective self-understanding, solidarity, or groupness that can make collective action possible’. In this usage, identity is understood both as a ‘contingent product of social or political action and as a ground or basis of further action’ (Brubaker and Cooper 2000: 7-8). Another usage that Brubaker and Cooper employ that is very relevant to the current research is to understand identity as an ‘evanescent product of multiple and competing discourses. In that sense it [identity] is invoked to highlight the unstable, multiple, fluctuating, and fragmented nature of the contemporary ‘self’. This usage is found especially in the literature influenced by Foucault, post-structuralism, and post-modernism (Brubaker and Cooper 2000: 8). I will turn the discussion now to two important issues: the debate about identity as an analytical unit, and the limitation of group/collective identity.

2.2.1 Identity as an analytical tool

In their article entitled ‘Beyond Identity’ Brubaker and Cooper (2000) argue strongly against the use of the word ‘identity’ as an analytical category. Alternatively, they suggest other terms that could replace this word and yet cover all the meanings and aspects that ‘identity’ is supposed to do. They argue that the tendency of constructionist researchers to over-emphasize the constructed, fluid and changeable nature of identity,

means that researchers are left without ‘a rationale for talking about identities at all and ill equipped to examine the hard dynamics and essentialist claims of contemporary identity politics’ (Brubaker and Cooper 2000: 1).

Brubaker and Cooper differentiate between what they call categories of social and political practice and categories of social and political analysis¹, arguing that the contemporary salience of identity as a category of practice — according to their definition — does not necessitate its use as a category of analysis. Moreover, they argue that using terms like ‘nation’, ‘race’, and ‘identity’ as categories of analysis risks taking for granted that race, nation and identity already exist and thus unintentionally contributing to the reification of these terms (Brubaker and Cooper 2000: 4-5). In their attempt to suggest alternative terms to capture what identity tends to mean without the inherent dangers of reification, Brubaker and Cooper suggest, among others, the term ‘identification’. The advantages of using identification rather than identity include the following: first, it reflects the process and thus it is an active term. Second, it allows the researcher to specify the agents that do the identifying. Third, it does not imply that the identification process itself will necessarily result in creating the internal sameness that ‘political entrepreneurs’, as agents, may seek to achieve. Finally, the word ‘identification’ as opposed to ‘identity’, accentuates the importance of the context which is a very important factor in studying identities because of the innumerable occasions and contexts that identifying could involve (Brubaker and Cooper 2000: 14).

In my research, I will draw on Brubaker and Cooper’s analysis by adopting ‘identification’ as a working analytical term. The four elements highlighted in their analysis — concerning: processes, contexts, agents, resultant identities — are relevant to my analysis of South African Muslims’ identities. Each of the case-studies that have been used throughout the thesis reflects at least one of these four elements.

As for the context, In the course of my analysis in the subsequent chapters, it will be evident how context can have an impact upon identities and how these contexts influence the resultant identities. Whether Muslims are emphasizing their religious,

¹ If a term is a ‘category of social practice’ it means that it is ‘developed and deployed by ordinary social actors’. This is as opposed to categories of social analysis which are the terms used by social analysts and are often distant from the real life experiences, see (Brubaker and Cooper 2000: 4-5).

ethnic, national or political identities and whether these identities are mediated by their faith is first and foremost a context dependent issue. To mention here but one example that I will elaborate upon in detail in Chapter 4, religion hardly plays a role in informing Muslims' political identity in the post-1994 period. This conclusion is supported by the low level of support to Islamic political parties for example. However, when Ebrahim Rasool, South Africa's first Muslim Premier, was axed from his post in the Western Cape, the Muslim community's discourse — both on the level of individuals as well as the religious establishment— completely shifted and support for the ANC waned significantly. Context can also refer to where Muslims place themselves and against whom in any particular situation. Based on context the hierarchy of identities also varies and differs. For example the hierarchy produced as a result of negotiating Muslim Personal Law is different from the one produced in negotiating inter-community relations whereas religion was the major determinant in the debates about the MPL, it was not as prominent in the inter-community relations debates (see Chapters 5 and 6).

Muslims are also in a continuous process of negotiating their identities. Whether these processes will result in different forms of identification or reproduce the same identities remains uncertain. A case in point here is the ways in which Muslims have been trying to relate to politics. During the apartheid era for example the debate regarding Muslims and their role in the struggle was characterised by an acute polarisation between those who believed that Muslims should co-operate with other liberation movements in their struggle against apartheid, and those who thought that Muslims should not get involved with non-Muslim elements even to fight a common enemy. The end of apartheid did not put an end to this debate, which continued along the same lines of inclusion versus exclusion. Chapters 4 and 5 will highlight these processes in detail.

Brubaker and Cooper (2000) highlight the importance of examining the role of agents, they argue that identification 'does not necessarily require a specifiable identifier' as it can be carried out through public discourse or public narratives without knowing specific identifiers. In this light the use of identification will also make it possible to look at the different and sometimes conflicting discourses regarding the formation of Muslims' identities. On another level, the term identification also allows us to make a distinction between two levels of analysis: namely self identification and external

identification. Brubaker and Cooper (2000: 15) note that because of the symbolic and material resources it has, the modern state is a powerful identifier and one of the most important agents of identification and categorization. On the other hand, the literature on social movements is rich in evidence on how movement leaders challenge official identifications and propose alternative ones. It highlights leaders' efforts to get members of their constituencies to identify themselves in a certain way, to see themselves as 'identical' with one another, to identify emotionally as well as cognitively with one another, depending on the purposes they serve. In the South African context, and as far as Muslim identities are concerned, my research shows a distinction between the focus of external identification as oppose to self-identification. In almost all my case studies, different agents in the Muslim community place religion (Islam) as the most important marker of identification. Leaders of Islamic political parties, for example, called upon Muslims to vote for Islamic parties and thus to base their political choices on their shared faith. The resultant identification however, has not corresponded to the calls made by these agents. On the contrary, Muslims self-identification rarely matched the external identification efforts. The relations between the sub-groups/communities constituting the Muslim community is another case in point in illustrating how self-identification could be completely different compared to external identification. In interacting with one another these sub-groups resorted, as I will show in Chapter 6, to ethnicity as a marker of identification rather than resorting to faith as emphasized by different agents as the most important identification marker.

2.2.2 Limitation of collective identities

As I have mentioned earlier, the concept of identity has a critical personal dimension, its usage in this thesis, however, is restricted to the collective dimension which refers to the ways in which people come to associate themselves with categories such as race, nation, ethnic group, or in this particular study religion (Greenstein 1998: 5).

Looking at Muslims' identities as categorical identities, risks the limitations associated with the study of the latter. Most identity politics involve claims about categories of individuals who 'putatively' share a given identity. As a result, there is a risk that while we study collective identities we tend to ignore the more complex social relations that shape identities. Furthermore, the notion of collective identity might imply that there is one identity more salient than other identities. As a result, collective identity

might involve 'repression' of other identities as well as essentialization of identities as it imposes on the group in question a unity of views and experiences that they do not necessarily have. Furthermore, collective identities risk dividing the society into 'exclusive, hostile and epistemologically closed groups' (Calhoun 1994: 26; Parekh 2008: 35-36).

These remarks, put forward by Calhoun and Parekh, beg the question of how these issues of essentialization and exclusion might relate to South African Muslims, do their religious identities as Muslims override other forms of social identities that they hold in other social spheres? Does being a Muslim necessitate a unified response in which religion would be given supremacy over other elements? How do Muslims negotiate their positions as South Africans, Indians, Blacks, women, Coloureds?

I argue that South African Muslims do not necessarily identify themselves as Muslims first and foremost in all contexts. I also argue that despite the efforts by different agents to construct a collective Muslim identity, these efforts do not necessarily resonate with Muslims. In other words, not all Muslims in South Africa take the same view of their identities, nor do they agree on what it means to be a South African Muslim. In order to understand why this is the case, it is pertinent here to recall Parekh's (2008) argument regarding the essentialization of collective identities. Parekh attributes essentialization to the minority status of some groups and the associated marginalisation. As a result, groups' struggles for recognition of their identity and the promotion of interests associated with it generates a pressure for the unity of views and purpose and eventually encourages their essentialization (2008: 35-36). In the South African context, I argue that the conditions Parekh provides to explain identity essentialization do not exist. In other words, despite the fact that South African Muslims are indeed a minority group, they do not struggle for recognition; neither do they suffer from marginalisation. Thus, identity discourses concerning the Muslim community hardly reflect this minority status and hardly reflect any demand of recognition. On the contrary, a consistent element in my interviewees' narratives and accounts is how Muslims enjoy religious freedom and how they are not discriminated against because of their faith. The rights and freedoms the Muslims enjoy have always been a source of their pride as South Africans. Only one case study that could be seen in the light of seeking recognition, that is of the MPL. However, even in the case of Muslim Personal

Law, which in essence evolves around recognition of one of the community's rights, Muslims' demands have not resulted in essentializing Muslim identities, nor did they lead to a unified Muslim stance for that matter.

2.3 Identity: the South African context

Since the transition to democracy, the literature around identity, identity politics, identification and construction of identities has undergone a considerable change. Three main features are worth discussing here. The first is the renewal of academic interest in ethnic identities. As correctly noted by Bekker (1999: 5), during the 1970s and 1980s scholars largely avoided questions related to ethnic, and racial identities of South Africans. It was a commonplace conviction amongst academics that any talk about ethnicity and ethnic identities, especially in a divided society like South Africa's, should be avoided as it could lead to more division as well as replicate the apartheid discourse. However, this has changed since the transition to democracy. Ethnic identity and related identity politics have been some of the most researched topics in academia in the years that followed the transition to democracy. Since the early 1990s, academic conferences focusing on ethnic and racial identities contributed to this subject gaining back its legitimacy in intellectual and academic circles (Szeftel 1994: 186; Bekker 1999: 5-6). The increasing importance of racial and ethnic identities in post-apartheid South Africa is attributed to the new political and social landscape and subsequent diminishing of old sensitivities, as a result people started to experience greater freedom to associate with different ethnic groups and openly express any concerns or preferences related to that (Adhikari 2005: xiv-xv, 175).

A second feature of the academic scholarship around identity is the spread of debate across the boundaries of academic disciplines such as history, psychology, anthropology, and political studies among others (Bekker 1999: 6). As a result, this has opened up new opportunities and arenas to explore and new forms of identities to be investigated² The rationale behind these studies, as explained by Sarah Nuttall and Cheryl-Ann Michae (2000: 4), is to reject the over-emphasis and exaggeration of the

significance of identities related to class and race and to rather shift the focus to everyday life and transient forms of culture. Similarly, Peter Alexander and his colleagues (2006) studied a wide range of social identities, from 'Fatherhood' in a Black workers' community, to identities of female workers in flower farms and garment industry, to HIV-positive identity. This collection aims at adding 'new pieces' to the 'jigsaw' puzzle of identities and arranging them against other more familiar pieces; that is of nation; race; ethnicity and class (Alexander 2006: 13-56). Another interesting arena that has been subjected to research is what is called 'provincial identity'. Cornelissen and Horstmeier (2002), for example, investigate provincial identities in the Western Cape as a new form of identification While Bekker and Leildé (2005) aim to look at the impact of residential space and economic opportunities on people identities in Johannesburg and Cape Town. Whether these new identity discourses resonate amongst people and whether these new forms of identifications have successfully displaced race and ethnicity is still to be examined. Cornelissen and Horstmeier (2002) conclude that despite the emergence of a discourse among provincial leaders about a 'Western Cape' identity, this discourse hardly found resonance amongst the citizens who did not necessarily share the elites' views about a distinct provincial identity. They concluded that in the Western Cape, non-racial constructions are not replacing the former racial constructs and that people still identify more with residential areas and ethnic groups than any other concept, which rendered the identification of numerous autonomous poles.

A third and final feature that characterise identity studies is a significant focus on the issue of national identity, which has become the central focus of many studies. In this regard, the dialectic between the national vs. sub-national receives considerable attention. What a South African identity is supposed to mean, and the impact of sub-national identities on it are only some of the questions that this scholarship is trying to answer. The remaining of this section will be devoted to national identity analysis in the South African context.

2 Although this shift in interest is a reflection of changes brought by the transformation in South Africa, it could also be understood as a parallel to the changes worldwide. Hall (1992) argues that old identities which 'stabilised the social world' 'are in decline', and that there is rather a rise in the new identities. See Taylor, G. and S. Spencer. (2004). Social identities : multidisciplinary approaches. London, Routledge.

Before we dwell on the scholarship on national identity in South Africa, it might be useful at this junction to state what is meant by the concept itself. According to Antony Smith (2001: 13) the nation is a ‘named human community occupying a homeland, and having common myths and a shared history, a common public culture, a single economy and common rights and duties for all members’. Based on this definition of nation, national identity can be defined as:

The continuous reproduction and reinterpretation of the pattern of values, symbols, memories, myths and traditions that compose the distinctive heritage of nations and the identifications of individuals with that pattern and heritage and with its cultural element (Smith 2001: 18).

However, national identity itself could be classified into state nationalism and ethnic nationalism (or what is sometimes referred to as civic national identity and ethnically based national identities respectively). Whereas ethnic national identity is characterised by a supposed common descent, civic national identity, on the other hand, involves ‘some sense of political community’, which in turn implies a well defined territory, a community of laws and institutions, a single political will, equal rights for members of the nation and common values, traditions or sentiments that bind people together (Smith 1991: 9-15). In other words, when ‘people accept the legitimacy of the territorially demarcated political community represented by the state, accept that they are members in it, and are proud of that membership’ state nationalism is achieved (Mattes 1999: 268).

As I previously mentioned, following the end of apartheid, a pressing theme in research has been the issue of national identity, and the capacity of South African society to transcend the inherited ascribed racial identities imposed by the apartheid and move towards forging a common national identity. A few survey studies set themselves to capture how South Africans identify with the state. For example, the South African Social Attitudes Survey (SASAS) contains questions that aim to measure the extent to which the people of South Africa identify themselves as South Africans. In 2003, the SASAS shows eighty-three percent of respondents stating that they would rather be a citizen of South Africa than of any other country. Furthermore, the survey shows ninety-three percent of respondents are either very proud or somewhat proud of South Africa — which was interpreted as revealing a strong allegiance to the country, and as an indication of strong national sentiment (Gossberg, Struwing et al. 2006: 58). Another study by Marlene Roefs shows that national identity in South Africa had strengthened

over the three year period between 1998 and 2000. Furthermore, one recent survey study by Chidester and his colleagues (2003: 295) shows that South Africans are increasingly identifying themselves as South Africans. Although these studies offer invaluable insights into the issue, they have their limitations concerning specific processes and dynamics of identification which they stop short of unveiling.

In addition to survey studies, studies that focus on national identity give special attention to the two closely- related notions of 'nation-building' and 'citizenship'. The main target of the 'nation-building project is 'to enable the growth of a common and shared loyalty towards the state and its institutions amongst all citizens; a loyalty that is able to transcend identities imposed by the former order and ascribed on the basis of race' (Gossberg, Struwing et al. 2006: 45). In other words, it is a project of 'cultivating a sense of nationhood out of the diverse ethnic, racial, regional, class and gender identities that pervade the country' (Boyce 1999: 232).

The most significant question is however, how to achieve the targets and goals of the nation-building project, and whether it should be achieved through a 'top-down' or 'bottom-up' process. Despite the fact that the role of elites in the cultivation and manipulation of national identity cannot be denied, Boyce underscores the importance of the masses in this process and warns against a 'monopolistic imposition' of loyalty by the state (Boyce 1999: 239). Boyce also warns against an elite driven process that is not necessarily shared by citizens. According to him the priority should be to consolidate and promote the new democratic culture (1999: 237). Thus A prerequisite to the nation building process is embracing of the constitutional system by all citizens. In other words, 'the constitution and the Bill of Rights need to become the possession of each and every citizen'. Similarly Gerhard Maré (1999) argues that any attempts to deliberately enforce a national identity from above would not succeed, and that the only alternative to achieve cohesion in South Africa is through democracy within a responsible society (Maré 1999: 244- 246).

Citizenship is the second core concept that should be discussed in any debate about national identity, for the simple reason that citizenship is the 'signifier of membership within a national and sovereign collectivity'(Davies 2009: 76). Belonging to the nation state involves, as Chidester and his colleagues (2003) put it, accepting the rights and duties associated with citizenship. Citizenship signifies the full membership of

an individual in the community. In this sense social citizenship presumes the harmonious integration of the individual within the overlapping social structure of civil society, the nation and the state. However, this harmony is not always achieved in reality. Since 1989, many analysts have observed the new forms of post-national citizenship (which have dissolved any necessary link between the rights of citizenship and loyalty to the nation state). Post-national citizenship has been developing on two mutually constructive planes, global and local, resulting in new claims to global citizenship and cultural citizenship respectively. Cultural citizenship is formed on the basis of distinctive, often local, loyalties and it affirms the distinctive cultural identity of citizens and asserts claims for the recognition and protection of that identity (Chidester, Hadland et al. 2003: 299). In this context, citizenship is more and more regarded as a 'matter of cultural distinctions or rights rather than similarities' (Davies 2009: 76).

The relevance of the above debates to my research is unmistakable in more than one aspect; First, if democracy is central in the nation-building project, how does this relate to the broader debate about Islam and democracy, and consequently where does the South African Muslim population stand on this question? What are the debates regarding Muslim participation in the political process in general?

Second, in the wake of cultural citizenship, and given the fact the Muslims are a religious minority in South Africa with specific culture needs and rights, how do Muslims relate to cultural citizenship? Is there any tension between cultural citizenship and state citizenship in the South African context? I argue that the attempt to have the Muslim Personal Law (MPL) enacted is an ideal case for illustrating the perceived tension and how the Muslim community is negotiating their identities in this regard.

Third, what is the best way to measure and study Muslims' national identity? Boyce suggests that national identity could be studied through political processes by which state loyalty is cultivated, as well as through the roles played by social groups such as religious communities and the likes (Boyce 1999: 238-240). To what extent these frames suggested by Boyce could be used in my research?

A final aspect of the identity debate that I will draw on in the course of my thesis is the interplay between different identities, more significantly how do Muslims' religious identities (as a sub-national identity) relate to their South African identity (i.e. their national identity). It is worth noting that the link between national identity and

other forms of social identification has been also the central focus of a number of studies which aim to see how the latter could possibly influence the former.

Generally speaking the rationale behind measuring social identities and the inter-relations between them is multi-fold. It helps (1) to determine the extent of heterogeneity of identity; (2) to establish the important lines of cleavage; and finally (3) to determine the extent and salience of those divisions (Mattes 1999: 271). As for the relation between sub-national and national identities, Mattes argues that having a sub-national identity does not imply having less pride in South African citizenship. On one hand, people who choose to identify with South African identity are not necessarily more proud of their South African-ness than people who choose sub-national identities. At the same time, pride in national identity does vary considerably among different types of sectarian identities (Mattes 1999: 276). These findings could be attributed to the fact that social or collective identity gives meaning to people's personal identity as a reference group of people with similar history, practices and values, against which they can compare and distinguish themselves, without being necessarily a statement of political loyalty (Mattes 1999: 273-274). In the same vein, Klandermans and his colleagues (2001) argue that sub-group identification and national identification are not mutually exclusive. On the contrary, they make the point that it is healthy for a society if people combine a strong national identification with strong sub-group identifications. They base this argument on related social psychological studies, which suggest that attempts to force people to forsake their subgroup identity in favour of a super ordinate identity might have a counterproductive impact. This literature also suggests that the combination of super and subordinate identity is the cement of the society; on one hand the existence of a super ordinate identity prevents subgroup identity from becoming divisive, and on the other hand identification with such sub-groups helps people to engage in meaningful bonds (Klandermans, Roefs et al. 2001: 91-92).

2.4 Muslims Identities: African and global insights

While it is extremely important to locate the current study within its South African context, it is equally important to place it within the wider literature about Islam and Muslims in Africa as well as Islam and Muslims in the broader global context.

According to recent statistics around one fifth of the world's Muslims currently live on

the African continent. More than 200 million Muslims are estimated to be living in sub-Saharan Africa (Soares and Otayek 2007: 2). However, the history of Islam in Africa and the demographics of Muslim population in different African countries both suggest that Islam should not be looked at as a monolithic faith, nor can Muslims be considered as representing a monolithic religious group. On one level, the ways by which Islam arrived to different parts of the African continent varied widely. While trade was the way to carry Islam to West and East Africa, Islam penetrated Southern Africa through immigration. On another level, Muslim populations in African countries varied largely in proportion to the overall population, from countries that have been entirely Muslim such as Somalia and Djibouti, to countries where Muslims constitute very small minorities like in South Africa. In between, Muslims are the largest religious groups in countries like Sudan and Chad. They are overwhelming majorities in countries like Senegal, Mali and Niger, while sizeable minorities in countries like Kenya, Uganda, Malawi and Mozambique (Soares and Otayek 2007: 2)

A quick look at the literature on the general history of Islam in Africa reveals the little attention paid to the history of Islam in Southern Africa generally and in South Africa in particular. David Robinson's (2004) *Muslim Societies in African History* is just one example, as most of the case studies in the book are from East, West, and North Africa.

There are two major discussions in the literature about Islam in Africa on which the current research will elaborate and therefore merit highlighting briefly here. The first debate is about 'African Islam' or 'Africanization of Islam' which refers, as David Robinson (2004) puts it, to the ways in which African societies have appropriated Islam. It also refers to the rooting of the Islamic faith in Africa. Africanization of Islam can also refer to the ways in which African societies made Islam their own (Robinson 2004: 27, 32).³ In that sense, Africanization could be rightly referred to as 'Berberization' or 'Swahilization', just to mention few examples. Robinson also made it clear that understanding 'African Islam' in the aforementioned sense should not lead us to look at African Islam in a derogatory way (Robinson 2004: 42). Similarly, An-na'im argues that Africanisation of Islam refers to the process of adaptation and indigenization of Islam

3 For a fuller account and more examples of the appropriation in space and time and in visual culture see Robinson, D. (2004). *Muslim Societies in African History*. Cambridge, Cambridge University Press.

wherever it managed to spread in north and sub-saharan Africa — A process that he considers as a strength of the religion, whereby ‘people can become Muslims by a confession of the faith and the practice of devotional rituals like prayer and fasting, while retaining much of their own norms and institutions’ (An-Na’im 1997: 11). Furthermore, African Islam could also be associated with the Sufi orders or brotherhoods and the mystical traditions in Islam. In this tradition of Islam, Muslims treat certain charismatic persons, living or deceased religious leaders, saints, or Marabouts as intermediaries between ordinary Muslims and God. Finally African Islam could also be understood as opposed to ‘reformist Islam’ (Soares and Otayek 2007: 3-4).

Although some of the manifestations of African Islam as illustrated above could be found in the South African Muslim community, I argue that in the South African context, this notion of African Islam is quite different from the conventional understanding of the term mentioned above. It is used by African Muslims as a response to Indian Muslims’ dominance over resources, influence and power. Thus it should rather be understood in the wider context of inter-community relations rather than anything else. For African Muslims in South Africa, Africanizing Islam is a notion many Muslims use to challenge the Indian domination. As part of empowering themselves, African Muslims use this notion to sometimes refer to efforts to re-visit the history of Islam in Africa in general and the history of Islam within the African population in particular. It is sometimes used to express rejection to being assimilated in the Indian culture and traditions which are perceived as representing Islam.

Another feature of the general literature on Islam in Africa as noted by Soares and Otayek (2007) is the focus on the history and consequently the lack of appropriate understanding of the contemporary Islamic politics in the continent, especially with the expansion of the role of religion in the public sphere which is attributed, as Soares and Otayek noted, to the political liberalization on the continent (2007: 12-13). In an attempt to fill this gap they have compiled a number of studies with the final goal of understanding contemporary politics in Muslim Africa. Their compiled volume adopts a quite broad understanding of politics which includes, in addition to formal politics of political parties and elections, the everyday politics from below. The focus thus goes beyond such formal and informal arenas of political action to encompass the new spaces and opportunities for debate in the public sphere, which has expanded considerably in

many African countries since the 1990s. Similar effort was made by Barbara Bompani and Maria Frahm- Arp (2010) in their edited book which contains contributions that link religion, politics and development. My research aims to continue the same tradition by giving more attention to the contemporary Muslim politics in South Africa. Following Soares, a broad understanding of politics will be adopted; encompassing both the traditional meaning of politics such as the politics of Islamic political parties, Muslims' voting patterns and political participation, as well as debates about MPL and the related gender issues, and debates about Muslim immigrants and xenophobia.

In the Western context, the history of Muslims and the socio-political circumstances compel different debates. Issues of integration and assimilation are part and parcel of each and every debate about Muslims in the West. Some of the Muslims who 'still hope for integration... felt the need to assimilate into Western culture for their personal success so strongly that they have paid the price for their initiation by giving up their Muslim identity completely' (Haddad and Smith 2002: ix). Furthermore, despite the fact that Muslims in Europe are no longer foreigners — younger generations are born and educated in Europe, Islam is the west — as argued by Olivier Roy (2002-103) 'is still researched through the lenses of sociology of immigration and ethnic studies'. On the contrary, and despite the fact that South African Muslims share their counterparts in the West the same minority status, theories of integration and assimilation are not helpful in understanding the reality of the South African Muslims. Na'eem Jeena articulates this when he told me about the difference between South African Muslims and Muslims in the West:

When I went to a conference, and people were talking about the host country, this term doesn't mean anything to me what do you mean by host country?!!! We [South African Muslims] are not immigrant; I am not an immigrant I am from here. This is my country it is not a host country. It is not hosting me it is not receiving me. Even my parents felt the same way they wouldn't articulate it like that but that was the feeling. My father very typical Indian racist if his worst nightmare came true that all the Zulus in Durban rise up against the Indians thinking of going back to India would not feature in his options; what does that mean to go back to India?!! (Interview with Na'eem Jeena, 17 November 2008).

From the Quote above, it is obvious that South African Muslims do not have a problem of integration in the broader South African society; this is attributed to the fact that in South Africa immigration had entirely stopped from the subcontinent and from South East Asia almost by 1911. This resulted in cutting all the links between the first immigrants and their home countries which contributed at making the integration faster

as opposed to Muslim minorities in the West where continuous flux of coming immigrants retarded integration.

2.5 Conclusion

In conclusion, this thesis builds on and benefits from the existing literature on two different, yet related fields. On one hand the thesis engages on the broader debates about identity in South Africa, and on the other hand it contributes to the debates related to Muslim politics in Africa. Because of the complicated nature of identity, the thesis will unpack the complexity by looking at different levels of identification, without suggesting that these levels are separated in the real life. In fact, these levels intersect and are better understood as such. By studying the processes by which Muslims' identities are constructed the thesis will look at three main levels, namely political identities (Chapters 3 and 4), national identities (Chapter 5), and ethnic identities (Chapter 6). The discussion will be taken forward through a number of case studies and will be always linked to the broader contexts. National identities will be discussed against the backdrop of two case studies: the first will discuss national identity in relation to Muslims' effort to enact Muslim Personal Law, while the second will address national identity against the backdrop of new immigration to South Africa. The political identities will be examined through Muslim politics in two different historical junctions, namely Muslims' engagement in the anti-apartheid struggle and Muslims' political activism in post-1994 era. Finally, the ethnic identities will be discussed in the light of the inter-relations within the Muslim community.

3 Chapter Three: Political Islam during the Anti-apartheid Struggle

3.1 Introduction

An investigation of the political identity of Muslims in contemporary South Africa needs to squarely unveil the Islamic discourses that surrounded the anti-apartheid struggle and the Muslims' contribution to it. This chapter is the first of two chapters which deal with Muslims' identities in the political sphere; how these identities are shaped and expressed. In other words, how political identity was mediated by the Islamic faith. The focus of this chapter is the political Islam during the anti-apartheid struggle. Special attention will be given to different movements and organisations which have engaged in politics from an Islamic perspective and endeavoured to mobilize the support of Muslims by using Islamic discourses and symbols. In this chapter, I argue that apartheid regime's oppressive policies created a suitable environment for political action inspired by Islam. As a result, a number of political movements were established with the aim of contributing to the anti-apartheid struggle from an Islamic point of view. I also argue in this chapter that although all the formations, movements and organisations during the struggle tried to mobilise the Muslims around Islamic ethos, they differed a lot in their views regarding cooperating and working with the broader community in their shared struggle regardless of religious affiliation. In this sense, I argue that only the Call of Islam used a more inclusive discourse that associated Muslims with the 'oppressed' and the 'downtrodden'. Other forms of Political Islam, as I will show in the course of my discussion, fed more into isolating and excluding Muslims from the broader community to which they belonged. In addition to the active involvement from different groupings and movements, the religious organisations, on the other hand of the equation, maintained a rather conservative position. This position impacted upon their political influence in post-1994 era, as I will show in Chapter 4.

As a way of prefacing the argument about Muslims political identities, the first section will be dedicated to viewing what is meant by political identity in general, as well as in the South African context in particular. The chapter will then examine Muslims' political identities during the anti-apartheid struggle. I will focus on the three formations

that were central and more prominent during that time, namely the Muslim Youth Movement F, the Call of Islam and Qibla Movement. In addition, the views of the religious bodies and religious leadership in relation to the struggle and the Muslims involvement in it will also be dealt with.

3.2 Political Identity: A conceptual overview

Political identity, according to the definition given by Courtney Jung (2000:19), is ‘that portion of identity which emerges as salient in the organised struggle for control over the allocation of resources and power residing in the state’. It is also ‘that aspect of a person’s identity that manifests itself in political action’. Hence, the political identity of any individual identifies the groups he/she aligns himself with (or against) in this struggle. Despite the fact that this group could be based on race, class, region, ideology, special interests, or religion, Jung stresses that identities expressed in different domains, such as the cultural, linguistic or religious, are not relevant to identities held in the political domain ‘unless and until they are infused with political content’. Furthermore, political identity, like any other type of identity, is fluid and changing. It is also context contingent, which means that certain circumstances could lead to the politicization of different identities, while the absence of such circumstances would lead to the disappearance of any political content of these identities (Jung 2000: 19-21).

Although most scholars agree that political identity by its very nature is changeable and highly fluid, Jamie Frueh (2004: 61) warns against the tendency of over-emphasizing this fluid and changeable nature of political identity as it could mislead us to believe that any identity conflict or problem could be simply resolved by ‘inventing and/or empowering alternate structures of identity that tap into different sets of interests and behavioural patterns’. Scholars also agree that political identity is neither inherent nor essential; on the contrary, ‘it is the complex and multilayered result of that which is mobilized by political elites refracted through the memories and networks of those who are mobilized’(Jung 2000: 17). The most important question would thus be: how is political identity constructed? Although Jung’s study was conducted along

racial/ethnic lines¹, she provides us with a sound model for explaining and understanding the mechanisms according to which political identities are constructed. According to this model, five variables help shape political identity, namely political institutions, mobilizing discourse, material conditions, available ideology, and organisation. In this model, importance and meaning of political identities are functions of the interaction over time of these variables. Finally, the extent to which individuals internalize the political meanings and boundaries that elite mobilize is what Jung refers to as 'resonance' (Jung 2000: 17, 34). It is against this model and components that I try to advance my argument in this chapter and the following one. In addition, following Frueh² (2004), this chapter is going to look at the political identity in South Africa beyond the racial lines. The context of my analysis in this chapter is the anti-apartheid struggle and the positions adopted by different Muslim organisations and movements towards it.

3.3 Muslims' political identity and the struggle

The literature on Muslim activism seems to suggest that prior to the 1950s Muslims did not get actively involved in the struggle. However, this does not mean that Muslims were absent from the political scene. It rather suggests that there is no evidence that early Muslims were interested in spreading a more comprehensive 'political' form of Islam. Even the few Muslim personalities who got involved in the early politics of the struggle such as Dr. Abdullah Abdurahman, the leader of African Political Organisation (APO)³, and Dr. Cissy Gool within the anti-coloured affairs department campaign in the

¹ Jung focuses on the political identity of three groups: Zulus, Afrikaners and Coloureds with the aim to study the development in the political identity of the aforementioned groups by comparing the pre- and post-apartheid periods.

² Frueh chose three political conflicts as a context for his analysis, these are: the student uprising in Soweto in June 1976, the debate over government proposals to reform the constitution in 1983 and 1984, and finally crime in post-apartheid South Africa

³ The APO — established in the 1920s was, in effect, a racially exclusive organisation that was aimed at the advancement of the Coloured people. It was a result of a measure of civil rights that were denied to other blacks as Coloured, could vote, be elected into political office, and form political organisations. See Mohammed Adhikari (ed.) *Straatpraatjes: language, politics and popular culture in Cape Town, 1909-1922*. Chapter 1: Adhikari, Coloured identity and the politics of language: the Sociopolitical context of Piet Uithalder's 'Straatpraatjes' column. p.9. see also: Martin, D. C. (1998). "What's in The Name Coloured? ." *Social Identities: Journal for the Study of Culture* 4(3): 523-540.

1940s - did not appeal to their community to work for a just society on the basis of Islam (Esack 1988: 474-475).

However, later on during the high days of the struggle, Muslims' participation has been recognised. Nkrumah (1989: 520) stated that 'Indeed Muslims have been a salient feature in the recent history of the struggle against the apartheid state and system'. Another scholar challenged the perception that Muslims 'were newcomers in the struggle against discrimination, exploitation and injustice' confirming that Muslims 'were the first and laid the foundation stone for the struggle' (Sicard 1989).

Not only did the struggle of early Muslims – such as Shaikh Yussuf and Tuan Guru - get academic recognition, in 1977 Nelson Mandela, when on Robben Island, sought out the grave of Shaikh Matura, one of the early Muslim opponents of injustices of the Dutch colonial rule in the Cape, who died on the island in 1754 – in order to pay his respects to his memory (Lubbe 1986: 24; Sicard 1989: 202-203). It is beyond the scope of this chapter, however, to focus on the early history of Muslims and their role in opposing the Dutch and the British colonial rule in the Cape. Thus this chapter will be confined to the Muslim opposition to the repressive apartheid regime that started in 1948 with the National Party victory in the elections. However, suffice it to mention that the memories of early Muslims were used extensively by different Muslim media and activists to advance and inspire the Muslims' contribution to the anti-apartheid struggle. To mention but one example, Cape Town based *Muslim News* ran the following editorial comment:

for a Muslim now to take part in the racial tri-cameral parliament would be a betrayal of the heroic struggle of Tuan Guru, Shaikh Yusuf, Shaikh Matura and other pioneers of Islam in this country (quoted in Lubbe 1986: 24-25)⁴

⁴It is worth noting that this continuous reference to the legacy of early Muslim struggles continues to the present day, and was celebrated by South African politicians as well. In his tribute to Imam Gassan Solomon (a Muslim leader and anti-apartheid struggle veteran) Kgalema Motlanthe, then the ANC deputy president, said: 'Imam Gasan Solomon has done his ancestor, Tuan Guru, proud. He completes a struggle started by Tuan Guru, an exile from Indonesia in Cape Town because of his fight against Dutch Colonialisation, one of the first prisoners on Robben Island, a man who established the first Mosque and Madrassa in South Africa, a unifier of all the oppressed: slaves from Malaya, the west Coast of Africa, and from among the indigenous people of the Cape. Today, they are all fused into one single community that produced Imam Gasan Solomon' (VOC 10/11/2009). Imam Solomon was a member of parliament and a cadre of ANC.

The first manifestations of an Islam-inspired anti-apartheid struggle could be traced back to the time of *Imam* Abdullah Haron. Haron was educated locally in *madrasa* before becoming the *Imam* of the Jamia mosque in the suburb of Claremont in Cape Town. Unlike the conservative teachings of his teachers, he tried to link the Islamic teachings to the social context of the South African people. Along with a group of Muslim youth in the Cape, the *Imam* formed the Claremont Muslim Youth Association, they also issued a newspaper called Islamic Mirror, which became 'the mouthpiece of Islamic anti-apartheid thought in the Muslim community' (Sicard 1989: 209; Tayob 1995: 83). In 1961, he succeeded in mobilising the Muslim community to draw a 'political meaning from their faith'. As the Group Areas Act was being implemented, Haron declared at a meeting of the Muslim Judicial Council (MJC) that, in accordance with the Qur'ān, the grounds of a mosque are sacrosanct and must not be demolished. As a result of mobilising Muslims, the Group Areas Board decided that mosques were to be exempted from the Act. In the same vein and as a response to the forced removals of different communities, Abdullah Haron and his youth organisation managed to mobilize around 4,000 Muslims on May 7, 1961 when they launched the 'Call of Islam,' which was meant to become an umbrella body of different Muslim organisations and individuals with the aim of opposing the aforementioned act. What made the Call of Islam a remarkable step in the history of the Muslim political activism is that for the first time Muslims identified with the oppressed, regardless of their religious affiliation. In this case the unjust laws that this group of Muslims stood against were not directed only to Muslims but to other communities. The Call of Islam made it clear that: 'Islam is above all a struggle against injustice' and that 'the purpose of human life as revealed in the Islamic resources is to create a just society' (Tayob 1995: 86; Sonn 2004: 111).

The solidarity with the oppressed, regardless of their faith, was reflected in the contacts Haron had with activists in the Pan-African Congress (PAC), the Unity Movement of which some of his congregation were members, the Coloured People's Congress (CPC), the African National Congress (ANC), the South African Indian Congress, and other organisations within the Congress Alliance. He used his influence within the Muslim community to advance the views of these organisations. He also used his Hajj trips in 1966 and 1968 to meet exiled opposition leaders in London and Cairo. Being watched by the secret police through informers, he was arrested in May 1959 and

four months later he was announced dead (Sicard 1989: 210). A post mortem revealed numerous bruises on his body as well as a broken rib (Lubbe 1986: 27). The actual causes of the *Imam* death have not been investigated. It is been argued by many that the death of *Imam* Haron contributed to a total shift in the Muslims' contribution to the struggle.

During the 1970s and 1980s, the environment of oppression created by the apartheid laws led a number of Muslim activists to engage in the struggle from an Islamic perspective. Such engagement did not take one form but rather three main strands that were identified during this stage. The first is what Esack referred to as a 'centrist' grouping led by the Muslim Youth Movement (MYM), the second is a 'South Africanist' grouping represented by the Call of Islam⁵, while the third is a 'Pan-Africanist' grouping under the leadership of Qibla. In the following section I will focus on these three forms. The three organisations, as I will show later, drew inspiration from different sources, which led to broad differences in their perceptions of the struggle and the best way for Muslims to get involved in it.

It should be noted however, that some Muslim figures — although they took part in the liberation struggle influenced by their religious identity— opted not to participate through exclusive Islamic platforms, but rather through the mechanisms already existed. Maulvi Islamil Cachalia for instance together with others, established the Nationalist Group of the Transvaal Indian Congress in 1939 (which was affiliated to the ANC), in response to the introduction of a servitude scheme whereby racially segregated areas were permitted and which favoured the acquisition of prime land by the minority white population. He was also Nelson's Mandela's senior advisor during the Defiance Campaign of 1952 (Dadoo 1996: 130). Those Muslims who opted to cooperate with non Muslims in the anti-apartheid struggle found religious- hermeneutic support to their position in Qur'ānic injunctions (Dadoo 1996: 131).

3.3.1 The Muslim Youth Movement (MYM)

The Muslim Youth Movement (MYM) was established in Durban in 1970. By initiating a South African Muslim identity discourse, the organisation aimed, in addition to other

goals, to oppose the racial labels imposed by the apartheid system. Since its inception in a mass convention attended by participants from Natal, Transvaal and the Cape, MYM's mass conventions became one of the most well known traditions of the organisation, attended by thousands of Muslims (Tayob 1995: 107). The MYM identified five 'guiding principles', namely to unify South African Muslims and make them appreciate their Islamic heritage, to intensify Islamic education and bring about a clearer understanding of the spirit of the Qur'ān, to create the proper environment by making the mosque the focal centre of all the organisation activities, to re-discover and follow the personality of prophet Mohammed (PBUH) and finally, to make Muslim women an integral part of the organisation (Tayob 1995: 114).

On an organisational level, the MYM has truly been the only Muslim organisation that could claim national presence and representation. It started with the central Durban office on the premises of the Grey Street Jumma Mosque. That was followed by offices in surrounding suburbs and towns including Chatsworth, Tongaat, and Parlock. In Transvaal the MYM also founded offices in Pretoria, Potchefstroom, Rustenburg, Pietersburg and Zeerust. However, MYM offices in Cape Town did not open until January 1977. This proliferation of branches led to an elaborate organisational structure; each branch had to elect a branch executive whose president was represented in a regional executive. The regional executive was responsible to the national executive in Durban (Tayob 1995: 109-110). In 1977, this organisational structure changed; the most relevant to our discussion here was the replacement of the branches with the *halaqat*. The *halaqat* were meant to be held weekly and its program included: discussions of the verses of the Qur'ān, a study of one or two *hadith* of the Prophet and an analysis of Islamic resurgent literature where certain ideologues like Mawdoodi and Qutb dominated the discussions (Tayob 1995: 136).⁶ The influence of these two Islamic thinkers is obvious in the discourse of MYM as well as the call of Islam especially

⁵ This is a new formation different to the Call of Islam of 1961.

⁶ The changes also included the hierarchy of the organisation which was based on the member's knowledge of Islam and their commitment to the MYM. For a fuller account of the organisational changes see: Tayob 1995: 134-138

regarding the place of politics, the political reading of Qur'an as I will show later in this chapter⁷.

These *halaqat*, and also the associated Qur'ānic classes, have been a crucial factor in shaping Muslims contribution in the anti-apartheid struggle – and are thus central to our understanding of the political identity that MYM and other Islamic resurgent movements helped to shape. Although the Arabic Study Circle in Durban initiated the tradition of discussing and interpreting Qur'ān⁸, it was the MYM who started organising this tradition on a wider and more organised scale. The MYM established the Qur'ānic classes, with the contention that understanding Qur'ān would help 'eradicate the evil forces of ignorance, superstition and formal fatalism' (Tayob 1995: 111). Unlike the traditional formal Islamic education, offered in *madrasa* where Qur'ān was taught in Arabic with no translation that non-Arabic speakers could understand, the MYM brought the English translations of the Holy Book. For the first time, many MYM members could read Qur'ān with 'understanding' (Tayob 1995: 111). This constituted the first step for linking the scripture with the political and socio-economic realities of the country.

The MYM presented a challenge to the religious establishment from the outset. With the local religious leaders 'virtually ignored' as noted by Tayob (1995: 107), the MYM conventions opened up a new world in front of South African Muslims; the organisation invited international speakers to address the gatherings and these provided a different vision of Islam than the one provided by the local 'Ulama. While the latter focused on the rituals, the international speakers on the other hand stressed notions of unity and relevance of Islam in the modern world. However, it was the particular tradition of *halaqat* that drew the harshest criticism from the side of the local 'Ulama, who held the view that only qualified religious scholars are entitled to interpret the Qur'ān and that the presence of the 'Ulama was an 'absolute prerequisite for the study of Qur'ān' (Tayob 1995: 155) Although the MYM initially challenged these conservative views, they conceded to some of the criticisms of the 'Ulama and changed the

⁷ For a more detailed account of the ideas of Qutb and Mawdudi in particular and the Islamists in general see Roy, O. (1994). The Failure of Political Islam. Cambridge, Harvard University Press. pp35-39

formatting of the *halaqah*, which involved dedicating less time to the discussion and interpretation (Tayob 1995: 155). Despite that, the impact the *halaqah* had on the MYM was undeniable, and those who broke out of the MYM to form the Call of Islam reflected – as will be discussed below – on the influence these *halaqat* had on them and how they saw their contribution, as Muslims, to the struggle (Interview with Adli Jacobs, 3 September 2010).

Nevertheless, it has to be noted that the MYM received mixed reactions from the different ‘Ulama bodies. Jam‘iatul ‘Ulama in Natal and Transvaal, for example, known to be more conservative due to their Deobandi tradition, were more concerned about losing their hegemony and/or monopoly of Islamic knowledge. As a result they attempted to isolate the MYM from the broader community. In the same vein, Majlisul ‘Ulama of Port Elizabeth criticized the MYM in their monthly newspaper al-Majlis, which was also distributed in mosques in Natal and Transvaal (Tayob 1995: 124-125). The main argument on which conservative ‘Ulama bodies based their criticism, was the lack of specialised knowledge among members of the MYM which made them incompetent to speak about Islam or in the name of Islam (Tayob 1995).⁹ On the other hand, the MJC was more accepting to the new understanding of Islam brought by the MYM and other Islamic resurgence organisations.

Regarding the political situation in South Africa, the MYM discussed the political situation in the country but no focus was given to the anti-apartheid struggle, per se, for example, as an integral part of their activities, different MYM branches were expected to undertake relevant research covering different aspects of the injustices of apartheid, in that sense it seems that taking part in the anti-apartheid activity as such was not a central aspect that the Qur’anic classes discussed nor a focus of any of the organisations’ projects. However, in his seminal study about the MYM, Tayob (1995: 122) argues that despite the politically conservative nature of the organisation at that stage, it was possible to draw similarities and connections with other anti-apartheid groupings. The Black Consciousness (BC) is a relevant example to illustrate such similarities; whereas

⁸ For a detailed account of the Arabic study circle see: Jeppie, S. (2007). *Language, Identity, Modernity: The Arabic Study Circle of Durban*. Cape Town, Human Sciences Research Council.

⁹ Tayob (1995: 126-129) provides well illustrated examples of the areas where the MYM interpretation and understanding of some aspects of Qur’ân were heavily challenged by the Deobandi ‘Ulama.

the BC called for an authentic Black identity, the MYM pursued its quest for an authentic Islamic identity centred on Islam as a way of life. On a leadership level there were also close links between the leadership in both organisations.

As for the question of how to face apartheid, the MYM advocated the idea of training individuals from an Islamic perspective as a way to fight apartheid, arguing that if the organisations had launched a general liberation movement, 'it would not necessarily have contributed to an Islamic reign'. It is against this backdrop that MYM opted to increase its efforts to proselytise (Tayob 1995: 152-153). It was indeed this rather conservative position and elitist composition that led a number of MYM active members to split, forming the Call of Islam which will be dealt with in the next section.

3.3.2 The Call of Islam

The Call of Islam (afterwards, the Call) was established on 17 June, 1984 by four founding members, namely Adli Jacobs, Ebrahim Rasool, Shamiel Manie and Farid Esack. While the first three were active in the ranks of the MYM and its student wing, the Muslim Student Association (MSA), Farid Esack had pursued religious education in Pakistan and was recruited by the MYM in 1982 as part of a wider project by the organisation to attract 'Ulama to its ranks. This decision was informed by the success of the Iranian revolution led by Iranian Mullahs (religious leaders). Early connections with the MYM shaped the ideas of those founders. There were reasons related to the MYM approach and strategy towards the struggle that led these members to break away and form the Call. The beginnings of the Call, however, can not be detached from the socio-political realities of the early 1980s. It is during that time that the apartheid state started introducing 'reforms' with the aim to strengthen the state's control in the face of a mounting social and economic crisis. One central aspect of these reforms involved co-opting a segment of the Black population into the existing political structures, namely Indians and Coloureds. The corner stone in this strategy was introducing a new constitution that provided the establishment of a racially segregated tri-cameral parliament; House of Assembly for Whites, House of Representatives for Coloureds and House of Delegates for Indians. Only the Whites were given the right to vote in a referendum on the constitution. Africans were absent from the proposed arrangement

and were only to vote for the so called homeland political structures (Borer 1998: 47; Houston 1999: 46-48).

As the MYM stood short of responding to these challenges by maintaining the same conservative tone; in 1983, the organisation published a nation-wide manifesto in which it described its 'vision for South Africa' and again it reiterated the centrality of 'improvement of the self' and 'changing the individual' as a starting point to the total change and real freedom (Tayob 1995: 153). The MYM thus failed to identify with the wider population in their quest for freedom. Against this backdrop a group of Muslim activists started to get involved in the anti-tri-cameral elections campaign, which aimed to bring together all forces opposed to the new constitution. This group of activists started distributing pamphlets calling the Muslims to oppose the tri-cameral elections. The initial name that was used on the pamphlets was 'Muslims against Oppression', but the title was the Call of Islam. The call of Islam meant:

A call against apartheid, a call for the unity of oppressed, a call to fight oppression, a call to fight exploitation, a call to reject tri-cameral parliament. That was what the call is; the call of Islam (Interview with Adli Jacobs, 3 September 2010).

From its onset the Call discourse drew on the Islamic injunctions. The involvement in the anti-apartheid struggle was a response to Allah's demands of Muslims to fight injustices. Farid Esack wrote:

[T]here is a verse of the Qur'ān where Allah says: 'and fight them on until there is no more tumult and oppression..' we say then that at this stage our essential task is to break down racist capitalism; this is how Islam is operating at a public level now...In the call of Islam, we all remain committed to Islam, and believe that our Islam at this time means to struggle side by side with other (non-Islamic) democratic forces... Now our attitude has always been that religion can spur people on to compassion and justice' (quoted in Nkrumah 1989: 523).

In another article by Farid Esack published in *Muslim News* in 1980, he emphasized the Islamic position regarding collaborating with the apartheid regime. In that article he said:

It is clear from the Qur'ān and numerous teachings of the Holy prophet that no form of co-operation or collaboration with any of the forces of oppression is permitted under any circumstances in Islam. We therefore cannot speak of working within the system to meet it. The norms of the powers that are based on greed, selfishness and exploitation and there is no way that one can sit with these people and hope to be a participant in the struggle for social justice (Lubbe 1986: 28).

Being an active partner in the anti-apartheid struggle raised another controversial issue which is the permissibility to work with non-Muslims. The Call made its stance in this issue clear when Farid Esack said:

For us it is not a question of taking friendship of non-Muslims. People are suffering. We are part of that people who are suffering and together we are going to get our freedom (quoted in Günther and Niehaus 2004: 109).

Hence, the Call took the decision to be part of the wider struggle; a decision that was clearly a complete departure of the MYM ideology which believed that Muslims should be working amongst themselves and by themselves. The Call, on the other hand, realised the necessity of working with the ‘oppressed’ in general, which meant working and cooperating with other liberation movements. The question was, however, who the Call should ally with. This led the Call members to contact almost all liberation movements across the board and it seemed that the thoughts and the principles of the United Democratic Front (UDF)¹⁰ — more than any other liberation movement — appealed to them¹¹. Adli Jacobs explained the reasons why the Call preferred to join the UDF:

It was better for us [the Call] to join such a movement [means the UDF] where no one is asking us to compromise our Islam in the least. What problems do we have with democracy? Nothing; it is the same as *shura*, what problems do we have with non-racialism? It is the same like *tawhid*¹²; Allah is one, and his people are one. Nabei (PBUH) fought against racism, what’s the problem that we are fighting apartheid? No problem. It is not asking us anything else. It is not asking us not to wear our

¹⁰ The United Democratic Front was launched on 20th August, 1983 as an opposition mass movement which was founded by the means of political alliance between hundreds of grass root movements across the country. The UDF brought together around 700 organisations including student organisations, youth organisations, trade unions, civic associations, women’s organisations, religious, sports and cultural organisations. The UDF has attracted a considerable scholarly interest, to mention but a few examples see:

Houston, G. F. (1999). The National Liberation Struggle in South Africa: A Case of the United Democratic Front, 1983-1987. Aldershot, Ashgate, Seekings, J. (2000). The UDF: A History of the United Democratic Front in South Africa, 1983-1991. Cape Town, David Philip.

¹¹ The principles and the objectives of the UDF were not fixed but rather evolved over time. Four very broad principles constituted the foundations of the UDF, namely ‘a belief in the tenets of democracy, a conviction in the creation of a non-racial, unitary state, an adherence to the need for unity in the struggle, and finally a recognition of the necessity to work in consultation with democratic people wherever they may be’. Houston (1999: 64).

¹² Jacobs’ reference to the divine oneness or *tawhid* is another example of the influence that Islamist thoughts has on the Call of Islam. Originally, *tawhid* means that ‘God is transcendent, unique and without associates’. The Islamist contribution to the term, however, is applying this theological concept to the society, which means that society must be ‘a reflection of divine oneness of tawhid’- this very same understanding was highlighted by Adli Jacob in the above quote. see Roy, O. (1994). *The Failure of Political Islam*. Cambridge, Harvard University Press. p.40

capas and our scarves; it is not asking us that. It did not ask us that we must give up Allah. It did not ask us to give up *ṣalāt* (Interview with Adli Jacobs, 3 September 2010)

On the other hand, other liberation movements had their limitations according to the Call. For example, the limitation of the Black Consciousness Movement was its quest for exclusivist black nationalism, thus it was asking for the exclusion of Whites who were against the oppressive apartheid regime.

The Call continued what their members had started earlier, of reading the Qurʾān and interpreting it. However, they took this effort to new horizons by attempting to make sense of it in relation to the South African context. In other words, the core contribution of the Call was its attempt to find an interpretation of Qurʾān that is meaningful and relevant to the South African context, an interpretation that responds to the challenges posed by the apartheid system (Jhazbhay 2002: 458,466). It was the contention of the Call that Muslims in South Africa needed to have their own tools of analysis and their own approach to Qurʾān that is suitable to their own social realities. The Call also believed that adopting the political thoughts of the Muslim Brotherhood in Egypt and the Islamic Jamaʿat in Pakistan was neither suitable nor helpful to South Africans, as Adli Jacobs puts it:

The MYM, the MSA experience and the ekhwan (Muslim Brotherhood) experience has not suited our conditions...what we needed in fact was to find our own tools; we cannot adopt other people's tools. They are grown up in their social conditions. We needed tools of analysis, tools of understanding, tools of slogans and understanding that are grown from our own experience in our community experience and we needed to approach the Qurʾān in that way. We cannot approach the Qurʾān in the way Said Qutb does because *fi zhal al Qurʾān*¹³ was his experience. It is not helping us in South Africa by looking at his experience (Interview with Adli Jacobs, 3 September 2010)

The above mentioned emphasis on the importance of the 'context' and the relevance of the South African 'realities' could be better understood as an Islamic equivalent to the liberation theology¹⁴ which gained prominence in South Africa in the

¹³ *In The Shade of The Qurʾān* is a book written by the Muslim Brotherhood ideologue, Sayyid Qutb.

¹⁴ Liberation Theology, which is also termed 'contextual theology', first emerged in Latin America, and particularly in Brazil, as a response to the oppression, vulnerability, marginalisation and poverty that hit the populations in this part of the world. A number of Key elements characterize this theology; first, it is rooted in ordinary people's everyday experience of poverty, oppression and suffering. Second, it involves the interpretation of the scripture in a manner that is closely related to that daily experience. In other words it encourages the dialogue between theology, social theory and real life in order to achieve changes. Finally, it is rooted in the life of the Church. With the exception of the last element, the core ideology of the Call matches to a great extent the ideas and principles of the liberation theology. In other words, the Call applied these principles but with relation to the Islamic scripture which is the Qurʾān.

1960s and reached the high point with the publication of the Kairos Document in 1985. Unlike other church related pronouncements, Kairos Document combined a critical analysis of the role of church with an understanding of the political realities of the South African Societies. Furthermore it explored alternatives in terms of possible action by the South African churches. Prior to Kairos Document, the critical engagement with the reality was absent (Goba 1987:313). The influence of the document exceeded the churches to the Islamic movement in South Africa. In December 1987, some of the individuals who were involved in drafting the document were invited to address the MYM Islamic training programme in Lenasia (Haron 2006).

The contextual theology of the Call of Islam included many examples; one of these was the analogy that was drawn between the Hudaybiyyah Treaty in the time of Prophet Mohammed, and the call for negotiations between the liberation movements and the apartheid government.

The story of the Hudaybiyah treaty dates back to the time of Prophet Mohammed, PBUH, when he had decided to make 'umrah in the month of Dhul Qa'dah of the year 6 Hijri (March 628). He set out with about 1,400 followers. Realising that if they allowed Muslims to enter Mecca for pilgrimage that would weaken their status — especially after they had failed to besiege Madina earlier—the Meccans sent out 200 cavalry to bar his way. Prophet Mohammed eluded these Meccans by taking an unusual and very difficult route, and so reached al-Hudaybiyah on the edge of Mecca. Here he decided to halt and negotiate. A treaty was eventually concluded and named after the place i.e. Hudaybiyah in which: (1) Mohammed and his followers were to withdraw and not to perform pilgrimage that year, but to postpone it to the following year; (2) there was to be no raiding between the two parties; (3) all Meccans coming over to the Prophet's side were to be sent back to Mecca. Although this treaty was perceived by the prophet's followers as unfair, from a strategic point of view, it ensured interaction between the two sides and thus brought new converts to Islam and eventually more power to the Muslims (Watt 2011). As for the relevance of this story to the South African context, a parallel analogy was drawn between the story of the

For a comprehensive account of liberation theology, the beginnings and the developments, see: Rowland, C., Ed. (1999). *The Cambridge Companion to Liberation Theology*. Cambridge, Cambridge University Press.

Hudaybiyah treaty and the Call stance in favour of negotiating with the apartheid government. More importantly, it confirms the political strength to be gained by maintaining and nurturing interactions among diverse, even competitive, groups (Simone 1994: 226-227). Other examples of the Islamic contextual theology include the interpretation of some Qur'ānic Sura such as Sura Al-Ma-un (Chapter 107), surah Qasas (Chapter 28), Mumtahina (Chapter 60), al-Rahman (Chapter 55).

Another factor that sets the Call apart from the MYM is that the latter was perceived to be an elite organization; it aimed to achieve 'transformation' through a change in the leadership. Thus the broader contribution of ordinary and lay Muslims was not part of the MYM ideology. This resulted in some of the members feeling alienated from their communities. The Call, on the other hand, wanted to formulate a mass movement that drew wider involvement from the Muslim community as a whole and not only the elite within this community. Furthermore, the success of the Call can also be attributed to the support that the organisation garnered from the 'Ulama grouping; an element the MYM was not completely successful in winning to their side.

Despite all the activism of the Call, the end of apartheid seemed to signal an end of the organisation. Reasons given for its disappearance have varied; one member of the Call attributed the demise merely to the end of apartheid and thus the disappearance of the reason why the organisation existed in the first place:

Because our purpose at that time was to get rid of the oppression, any form of oppression. We felt from an Islamic point of view it was our duty to fight for the country. If the country does not have oppressive laws against us as Muslims, then there is no reason for us to fight (Interview with Suraya Bibi Khan, 5 November 2008)

In the same vein, Adli Jacobs attributed the disappearance of the Call from the current political scene to the absence of an enemy:

In the eighties the enemy was the apartheid, and it was a terrible enemy and helped to mobilise people around it. Now you need a strong cause to bind a movement on (Interview with Adli Jacobs, 3 September 2010)

It has also been suggested that the organisation lost its key leaders to the new ANC government, resulting in a leadership crisis in the organisation (Esack 1996). For example, Ebrahim Rasool, one of the four founding members and a key ideologue in the Call, joined the ANC and became its provincial leader in Western Cape and then the

Western Cape Premier between 2004 and 2008. In 2010 he became the South African ambassador to the United States.

However, this does not mean the organisation has totally disappeared. The Call in different provinces went through different paths. In Johannesburg, for example, members of the Call still hold their monthly meetings where they are still committed to reading the Qur'ān and find an interpretation that is relevant to the South African reality and context. For example, during my fieldwork, aiming at linking the Qur'ān to the South African context, the Call members in Johannesburg were studying Surat Al-Maeda (Chapter 5 in the Qur'ān). Particularly, they were studying the verses related to crime and punishment (verses 33-34) and thinking how this could contribute to the South African justice system. On another level, a number of its members are involved in the activities of the Palestinian Solidarity Alliance or Committee. This was the kind of activity that the Call had never got involved in before the transition (Interview with Suraya Bibi, 5 November 2008)

In 2009, the Call members met together in Cape Town to celebrate the 25th anniversary of the organisation, where they agreed to publish a book to tell the story of the Call and draw lessons from its involvement in the struggle. Although the organisation is not as active, its members seem to be taking its message to the broader community. Adli Jacobs replied to my question about the Call in contemporary South Africa by saying: 'The Call is in the society'. He explained by listing the members of the Call who are currently holding public positions; this list includes: ambassadors such as Hamid Khabair, the South African ambassador to Saudi Arabia, and Ebrahim Rasool in the United States, as well as MPs like Fatima Hajaig who also was a former deputy foreign minister, late *Imam* Gassan Solomon, in addition to others such as Dr. Salojjee who was a councillor, Rehana Mosajee who is serving in the executive committee of transport in the city of Johannesburg (Interview with Adli Jacobs, 3 September 2010).

3.3.3 Qibla Movement

Qibla Movement was the third grouping in the scene of South African political Islam. With the success of the Iranian revolution and at the same time the dissatisfaction with the MYM approach to the political situation, Qibla was formed in 1980 in Cape Town by Achmad Cassim who was incarcerated between 1964 and 1969 on Robin Island and

took part in some MYM activities in the 1970s. In his book entitled *Intellectual Roots of the oppressed* Achmad Cassiem emphasized how Islam has been an integral part of the intellectual roots of the oppressed people in South Africa. He argued that the influence of Islam started with the arrival of political exiles and slaves and that influence has always been ignored by oppressors who instead of giving recognition to Islam, see slaves heritage as 'Eastern or Malay but never as Islamic' (Cassiem 1992: 9). Referring to the resistance culture of early Muslims, Cassiem said:

They has resisted European colonialism with armed force. And when they arrived at the Cape they were prepared to do so again. The revolutionary historical momentum in Azania can be accelerated by cognisance of this fact- and by a real appreciation of the role of the social dynamics of the ideology of the slaves (Cassiem 1992: 10)

Not only had early Muslims in South Africa resisted oppression, according to Cassiem,

The historical records of the Muslims show that the greatest resistance to colonialism was encountered in those countries inhabited by Muslims. And in the contemporary situation it is again the Muslim in Iran, Afghanisatn, Palestine and Lebanon who are rising successfully against the super-powers (Cassiem 1992: 14)

Qibla discourse was a fusion of Islamic principles, Iranian revolution slogans as well as local anti-apartheid slogans. The Islamic underpinnings of Qibla thoughts are obvious in the above mentioned book, where Cassiem used evidence from Quran and *Hadith* to show how Islamic injunctions represented in in these two sources are against racism, racial discrimination, exploitation and injustice (Cassiem 1992: 29-40). The impact of the Iranian revolution was abvious reflected in Qibla's call for revolution as the only way to get rid of the apartheid system, Qibla's slogan 'One solution, Islamic revolution' illustrates that clearly. Qibla, however, did not define how this revolution would happen in a country where Muslims constituted less than two percent of the population, which was the main critique to the movement (Esack 1988). However, Iranian revolution was not the only inspiration for Qibla. Ahmed Cassiem was influenced by the writings of Maududi and Qutb as he argued that the establishment of an Islamic state in South Africa was a feasible project (Haron 2008: 86). Internally the Movement was also influenced by the Pan African Congress (PAC). According to its founder, Qibla was meant to be a mass movement. He believed that none of the parties that took part in the liberation struggle 'cater for an Islamic perspective', thus Qibla aimed to present that Islamic perspective (Desai 2004: 5).

Although Qibla emphasized the fact that Muslims since their arrival to South Africa centuries ago have always been part of the oppressed, the movement did not associate itself with the other oppressed struggle. A key difference between Qibla on one hand and the Call of Islam on the other is their respective stances regarding working with non-Muslims in the liberation movement. While the Call adopted religious inclusiveness and sought to work with all anti-apartheid activists regardless of their religious affiliation, Qibla rejected such co-operation; they perceived the struggle as being tainted by its non-Islamic elements (Esack 1988: 484). According to the ideology of Qibla, the South African Community is a *Jahiliyya* society — a community of infidels— and thus Muslims must not work with them.

It is noteworthy to say that not all Islamic organisations have embraced the Iranian Revolution the way Qibla has. Initially the MYM viewed the developments in Iran as a victory for the Islamic resurgence in the world. Its newspaper and mouthpiece, *al-Qalam*, traced the revolution and organised a rally in support of Iran in December 1979. Furthermore, the writings of Shariati and Khomeini and other Iranian Mullahs were added to the shelves of the MYM bookshops and the reading lists for the halaqaat. The Iranian revolution was not, however, a model for Muslims in South Africa. The Shi'ism teachings associated with the revolution affected negatively the MYM support to the revolution and the Iranian Shi'ite teachings (Tayob 1995: 148-149). An undeniable influence of the revolution on the MYM, however, was reflected in the organisation starting a programme to train its own 'Ulama by sending students abroad, who would then serve the MYM on their return. The importance of the religious leadership was evident in the Iranian revolution and, given the criticism the MYM faced from the local 'Ulama, there emerged the need to train a new generation of 'Ulama who could advance the MYM thoughts and ideology. As for the support of Qibla within the Muslim community, the organisation was seen as a sideline organisation and has never been popular amongst Muslims due to its radical stance and its hard criticism to the religious establishment (Interview with Adli Jacobs, 3 September 2010). Association with Shi'ite Iran was another reason the organisation has not garnered the support it aimed for. Its revolutionary stance led the movement to oppose the negotiations between the ANC and the National Party and called on Muslims to boycott the democratic elections of 1994 and 1999 (Bangstad 2005: 200).

3.4 Religious leadership and the anti-apartheid struggle

In order to fully understand the processes of negotiating Muslims' identities in the anti-apartheid struggle context, we need to highlight the views and positions of the religious leadership whose roles not only were essential in shaping the Muslims' contribution to the politics at the time of the struggle, but also their contribution to the post-apartheid political scene. As I have shown in the previous sections, different organisations attempted to offer their own perspective regarding the relation between Islam and the struggle, or in other words how Islam should influence the struggle.

Religious bodies, in general and with very few exceptions, have adopted a rather conservative position towards opposing the apartheid regime or uprising against it. The argument they used to support their conservative position was two-fold. The first argument saw that Muslims under apartheid rule were able to practice their religious duties freely, and as long as their freedom in this particular aspect has not been challenged there was no reason for them to rise against the apartheid regime. My respondents who lived through the anti-apartheid struggle recalled some of the views adopted by some of the religious leadership:

There were a group of shaikhs who said what Allah and prophet require from us is to perform Salat (prayers) and Ebadat (worship) and we cannot oppose the ruler of the day if they didn't interfere in our practice of the deen' (Interview with Faried Sayed, 7 October 2008).

In the same vein, Rehana Mosaajee said:

There has also been a grouping of people especially religious organisations who said: 'separate the life of this world and the life of the hereafter and keep your focus on the hereafter, and there is no need to extend ourselves to the life of the country' (Interview with Rehana Mosaajee, 22 January 2009)

The second part of the argument put by the religious leadership related to the collaboration between Muslims and non-Muslims, as any involvement in the struggle would involve such cooperation. Whereas groups like the Call—as I have pointed out earlier—adopted a solidarity approach, the religious bodies on the other side, adopted an anti-collaboration position. The latter's views are explicitly reflected in this quote by a conservative cleric:

With good intentions Muslims have joined and are highly active in kafir nationalist organisations to such an extent that the MJC of Cape actually underwrites the Haraam activities of the United Democratic Front. Many noted 'alims and Muslim personalities are members and active supporters of this marxist inclined group, formed by a priest who modelled the group on the civil rights movement of Martin Luther King Jnr in the US. Many UDF meetings in the Cape have Jews as

participants. It is amazing how these Muslims justify this joining of forces with the kafirun (quoted in Lubbe 1986: 29).¹⁵

It could be argued that on the more conservative side was the 'Ulama of Transvaal and Natal who called for a 'neutral' stand whether Muslims should participate in the tri-cameral elections. Majlisul 'Ulama of Port Elizabeth expressed conservative views against anyone participating in the political activities that were taking place throughout the 1980s (Haron 2006: 445; Haron 2008:82-83). This point of view is also to be carried out in the post transition period, as I will show in the following chapter. However, one should be cautious not to see conservatism as a blanket generalisation true for all religious leaders and bodies.

The MJC was less conservative and more responsive to the challenges posed by the apartheid regime and adopted some positions in support of the struggle. For example, amid the anti tri-cameral campaign the MJC declared participation in the election an act of *haram* (unlawful) and *kufr* (disbelief). It further stated that any type of support for the racist tri-cameral system of government was a 'blatant violation and denial of the kalmia (word) of tawheed and thus an outright denial of Islam' (Lubbe 1986: 28). In 1985 the MJC called upon *Imams* to instruct their congregations about the evils of apartheid and injustice' (Jeppie 1989: 76).

Imam Shaikh Abdul Hamid Gabier, a former chairman of the MJC, addressed the Muslim community in a letter sent from the ANC head quarters in Lusaka. The ANC was described as the 'Vanguard of our struggle for justice and for liberation of our country'. He refuted fears of an imaginary communist threat that the ANC was posing. Identification with the oppressed was emphasized by the *Imam*, as he stated in the letter:

There is no way that Islam is going to survive in South Africa if it does not identify with the oppressed. It is only through being united with the mustadafin fil ard [i.e. the oppressed on the earth] that we will be able to bring about the downfall of the white racist regime. In their destruction lie the hope of our people and the future of Islam. (Shaik Gabier, n.d.)

15 The counter argument was that since the apartheid system did not differentiate between Muslims, Christians and Jews, there was no reason why they should not together resist it and fight for liberation Lubbe, G. (1986). "Christians, Muslims and liberation in South Africa." Journal of Theology for Southern Africa(56): 24-33.

In the same vein, *Imam* Ebrahim Davids of Cape Town, said that any person taking part in the elections for the tri-cameral parliament could not be a Muslim, According to him:

Islam is anti-racial, super national and a complete code of life. A Muslim does not look at the skin colour of another person and definitely does not look at the ethnic origin of other people. Since the so-called new deal or new constitutional dispensation is clearly opposed to all the tenets of Islam it is therefore crystal clear that Muslims cannot have any part whatsoever in any dealings with the South African government (quoted in Lubbe 1986: 28).

It is worth noting that some religious organisations were rather apolitical, such as the Tablighi Jamaat (TJ) which is known to be distanced from politics in all the countries they work in and not only in South Africa (Haron 2005: 268). The tension between the MYM and TJ was not because of this apolitical stance but rather because of the shared Deobandi affiliation between the Tablighi and the religious leadership who were sceptical of the Muslim Youth Movements and their agendas, as I have illustrated above (Haron 2005-270).

Finally, the broader Muslim community response to the apartheid repressive laws depended on the outcome of the relations between the conservative 'Ulama groupings on one hand and the more progressive Muslim activists on the other hand. The level and intensity of the Muslims' involvement in the Cape perfectly illustrates this point. First, the MJC of the Cape were less conservative compared to the religious bodies in the Northern provinces, namely Transvaal and Natal. Secondly, the Call of Islam, which was more active in the Cape, managed to draw the religious bodies into the struggle. As a result, the Cape had witnessed higher levels of political activism as 'streets moved into mosques, and the mosques became the venue for political meetings', as put by Jeppie (1989: 77)

3.5 The contested role of the religious bodies: Examples from the TRC

It is worth noting that the post-apartheid era witnessed a contention and debate about what exactly the role of the religious leadership was in the anti-apartheid struggle. On one hand different religious bodies tried to assert their positive and active involvement in the struggle, while on the other hand some of the progressive Muslims' groupings who were more actively involved in the struggle challenged the claims put forward by religious leadership. These differences in views are relevant in my debate regarding

political identities as they help us to understand the ongoing dynamics within the religious leadership who are trying to maintain a dominant role in the society as well as to keep its credibility amongst their constituencies. Both goals are to be achieved by constructing a positive and active role in the struggle and thus challenge the perception that they were complacent with the apartheid regime by contrarily portraying themselves as active players, in a bid to carry out this activism in the political sphere in post-1994. The submissions made by different Muslim organisations and individuals before the Truth and Reconciliation Commission will be highlighted in this section to showcase this argument. These submissions are also a good departure point in understanding the evolving role of 'Ulama and other organisations in negotiating Muslims' identities in post-apartheid South Africa. In other words, the TRC submissions offered an opportunity for this leadership to determine how they would like to be conceived by their constituencies. Furthermore, it was an opportunity to defend their roles as sole representatives of the Muslim community in the country.

Before analysing different submissions from Muslim religious bodies and drawing conclusions from them, it is pertinent at this junction to offer a brief background to the circumstances that surrounded the involvement of faith communities in TRC hearings. Due to the deep involvement of different faith communities during the apartheid era, either as supporters to the apartheid regime or opponents to it, it was important to hold a special hearing dedicated to the role of these communities (Cochrane, Grunchy et al. 1999: 16). The fact that different religious traditions claimed 'an enormous committed constituency, with lines cutting across many of the racial, class and ethnic barriers', as argued by the Research Institute on Christianity in South Africa's (hereafter RICSAs) report¹⁶, was another reason to include a hearing dedicated to different faith communities. Taking this fact into consideration meant that any attempt to transcend these barriers in post-apartheid South Africa necessitated getting these communities to speak and getting them to be more involved in the reconciliation process. Furthermore, the TRC was considered an important step to pave the way in front of a new South

16 The Research Institute on Christianity in South Africa (RICSAs) was commissioned by the TRC to produce a document - based on the different submissions of Faith communities – with the aim to sketch the historical back ground of the faith communities, provide a summary of the submissions. Subsequently the RICSAs was asked to produce another report on faith hearings. This report was the base for the final report of the TRC on faith communities submissions and hearings.

Africa. And thus the involvement from everyone, especially the religious communities, was looked at as a great opportunity to achieve reconciliation and peace in the new country (Cochrane, Grunchy et al. 1999: 3, 16). Initially, and because of the deep involvement of the Church, the Commission's intention was to hold hearings and get submissions only from the Churches. Subsequently, the Commission realised that other communities had to be included and a decision was taken to have all faith communities invited instead of exclusively inviting churches. Broadening the scope of submissions led almost all faith groups that enjoy followers in South Africa to give submissions. These faith communities included the Christian, Muslim, Jewish, Hindu, Buddhist and Baha'i faith traditions (Cochrane, Grunchy et al. 1999: 17). As far as submissions from the Muslim community are concerned, two 'Ulama bodies were willing to give submissions; namely The Muslim Judicial Council (MJC) and Jamiatul Ulama Transvaal(JUT)— the latter only sent a statement (Cochrane, Grunchy et al. 1999: 20; Meiring 2003: 33). In addition to the two 'Ulama organisations, both the Muslim Youth Movement (MYM) and Maulana Farid Esack – a member of the Call of Islam (COI) — gave submissions before the TRC. Although the latter, gave this submission in his personal capacity and not as representing the Call, his statement could only be fully understood with reference to the Call's experience in the anti-apartheid movement as an Islamic organisation (Inetrview with Adli Jacobs and Suraya Bibi Khan, 3 September 2010).

Both JUT and MJC claimed in their testimonies an active involvement in the struggle against the apartheid. Like most faith groups, Muslim religious organisations identified themselves with the apartheid opposition camp; According to their submissions before the TRC, they opposed apartheid through different ways such as issuing statements as well as letters, organising petitions and private appeals, taking part in civil disobedience and expressing solidarity with liberation movements. In his submission before the TRC on behalf of the MJC, late *Imam* Gassan Solomon stated that the MJC was established in order to:

Voice a protest against oppressive laws and governmental policy. It was founded in the interest of all non-Europeans who should at all times, irrespective of race or creed, join forces against the oppressive forces (1999b).

Imam Solomon also stressed upon the MJC's affiliation with the UDF, based on their belief that the Muslim community is part and parcel of the oppressed and has a

common struggle with the oppressed. Furthermore, the MJC mentioned specific incidents of active involvement in the struggle against the apartheid regime, which included issuing statements such as the Call of Islam declaration as well as a statement in 1985 declaring the policy of apartheid, segregation and oppression as un-Islamic, abnormal and contrary to the laws of Allah (1999b). Although MJC's testimony emphasized its positive role in the anti-apartheid struggle, it also admitted that conservatism within its ranks 'hindered it from doing more in opposing the apartheid state'. The MJC then concluded the testimony by saying that it 'takes collective responsibility for this unfortunate omission and apologises to those whose aid and assistance we have failed to respond in time of great need' (1999b).

The story, as has been told from the perspective of Jam'iatul 'Ulama Transvaal (JUT), was not different in content as it also emphasized the positive role played by the Muslim community in opposing the apartheid regime, a view reiterated by the organisation on their website where it is stated that 'JU took up the cudgels with the Nationalist government against the Group Areas Act and succeeded in defending our Masājid and Madāris from demolition'. Unlike the MJC, JUT's submission lacked the details as what exactly the role played by JUT was, it rather came in very general terms, criticising the apartheid state and enumerating the suffering of the Muslim community as a result of the apartheid policies. JUT's narrative lacked the specific details of how exactly the organisation contributed away from the rhetorics. Instead, JUT spoke generally about how Islam condemns discrimination and segregation and how Muslims in South Africa developed 'strategies to defend their religion and to challenge broader forms of social oppression and discrimination'. These strategies included opening mosques and *madrasas* to be venues for Muslims from different races to get together for worship and education (Erasmus and Pieterse 1999). Although the MJC was more detailed and specific in describing the organisation's stance towards apartheid policies compared to the JUT, it could be argued that the Muslim religious organisations, in general, were neutral towards the apartheid state, and when they were involved in the struggle that was kept to a minimum. This conclusion is in accord with the RICSA Report which held the opinion that the more detailed the testimonies are the more involved these communities are either in supporting the apartheid or in working against it. On the contrary, when the submissions are short and come in very general accounts

that would be an indication to a limited engagement. In the light of the submissions from the 'Ulamā bodies it is obvious that they belong to the latter category.

Relevant to the contested role played by the JUT, the latter implicitly defended itself against accusations of collaboration with the apartheid state, JUT stated:

...so enthusiastic were the Muslims in opposing the injustice of the government of the day, that if a group or organisation did not visually and physically oppose the government, it was sometimes accused of collaborating by those organisations who had shown their opposition by way of public demonstrations' (1999a).

This narrative highlighted above by the Religious groupings and how they saw their role in the struggle was heavily challenged by more progressive activists like Farid Esack of the Call. In his presentation he accused the Muslim leadership of 'failing to speak out strongly against the apartheid'. He also described the attitudes of Muslim religious leadership as one of 'betrayal'. Criticism was even harsher on religious bodies in Natal and Transvaal. According to Esack, not only that these religious bodies kept silent, but, they also denied Muslim activists who chose to be part of the struggle 'of space and of legitimacy' (1999c).

Another challenging voice came from the MYM. In his presentation, Nissar Dawood of the MYM criticised the participation of 'Ulama organisations in the commission that was designed to recognise Muslim marriages in 1986, a step that aimed to 'co-opt Muslims in support of apartheid' (1999d). He added that 'Ulama bodies withdrew their representation for the law commission because of the pressure from organisations like MYM and the Call. Furthermore, the MYM maintained that JUT was 'the only major Muslim grouping who refused to endorse this campaign, thereby, it was a silent accomplice to the Nationalist Party Rule' (1999d). Farid Esack also questioned the issue of representation, when he claimed that none of the presenters including the Muslim religious bodies can claim to represent the whole Muslim community or speak of its behalf. In particular, Farid Esack mentioned Jamiatul Ulama's President, Maulana Ebrahim Bahm (1999c).

From the testimonies referred to above, it is clear that 'Ulama bodies who submitted testimonies failed to identify themselves with the oppressed, they rather talked exclusively about the suffering of Muslims as a result of apartheid policies without putting that in the wider context of oppression that affected all people of

colour. On the contrary, other Muslim activists were clear in identifying themselves with the oppressed; to quote Fareid Esack, for instance:

I can only speak for myself and speak for those Muslims who felt that they had to South Africanise their Islam and by that to develop an empathy with the people of our land and to identify with their suffering and to give their everything to alleviate the pain and the injustice that visited our land (1999c)

After looking at the religious bodies' submission, the following conclusions could be highlighted:

- (a) Submissions from the 'Ulama organisations were an occasion to bring about different discourse between the 'Ulama from one side and the more progressive Islamic organisations from the other side. Farid Esack, for example, had not planned to testify before the TRC. It seems that knowing that some of the 'Ulama bodies were to present a view from the Muslim community was a good incentive from him to testify and challenge their respective views.
- (b) None of the 'Ulama groups offered an insight into how the reconciliation could be achieved from an Islamic point of view. On the contrary, more progressive Islamists offered these insights; Farid Esack, for example, stressed that the Islamic understanding of reconciliation means 'returning stolen property, resulting in an equalisation, a restoration of balance between victim and perpetrator' (Cochrane, Grunchy et al. 1999: 59).
- (c) Finally, from analysing the different submissions of the Muslim organisations, it is revealed that the Muslim community does not have one voice, but rather multiple voices that reflect different narrations of the Muslim contribution during the apartheid era. This conclusion is in accord with the recognition expressed in the RICS report that Faith communities should not be treated and looked at as homogeneous communities. Within each faith community there are theological as well as ideological divisions (Cochrane, Grunchy et al. 1999: 3). This is true for the Muslim community as well. Moreover, theological as well as ideological similarities could be found between different faith communities. A good example is what Farid Esack mentioned in his testimony before the TRC, where he pointed out that '...the ideological perspective of the Institute for Contextual Theology (ICT) was much closer to the Call of Islam than it was to the Church of England in South Africa' (Cochrane, Grunchy et al. 1999: 18-19).

3.6 Conclusion

The apartheid regime and its oppressive laws were the main reason why Muslims turned to their religion in search for grounds to get involved in the anti-apartheid struggle. Similarities could be found on the part of Christian churches as well; after a long period of alignment between the state and the church in South Africa, a new phase of resistance started as a direct result of the Sharpeville shootings in 1960. Christian churches have been active in resisting the apartheid state by issuing statements and declarations amongst these were The Cottesloe Consultation statement in 1961, which—despite its relative mild language—was considered a fundamental rejection of the apartheid ideology by stating that ‘no one who believes in Jesus Christ may be excluded from any church on the grounds of his colour or race’ (Villa-Vicencio 1986: 200). Another example was ‘message to the people of South Africa’- in 1968 which rejected apartheid as a ‘pseudo-gospel’ and as being in fundamental contradiction to the gospel (Villa-Vicencio 1986: 200-201).

Different understanding and interpretation of the Islamic injunctions meant that there was not one response to the apartheid challenge. While the religious leaders and ‘Ulama organisations maintained to a great extent—with very few exceptions—a conservative position regarding rebelling against the system and regarding taking part in the anti-apartheid struggle, other organisations like the MYM, the Call of Islam and Qibla challenged this conservative understanding by developing their own Islamic reasoning for taking part in the struggle. However, this Islamic-inspired participation in the quest for freedom did not mean that these movements and organisations did not disagree on particular elements of this participation. While Qibla, for example, believed that Muslims should not cooperate with non-Muslims in the struggle, the Call of Islam was involved in the alliance politics by working with the other UDF allied liberation movements regardless their religious affiliation.

This chapter also highlighted the centrality of the religious establishment and their influence over the debates surrounding Muslims’ role in the struggle. The success of the Call of Islam as opposed to MYM and Qibla could partially be attributed to its success drawing ‘Ulama to its discourse. Qibla’s failure to do the same and its severe criticism to

the 'Ulama meant that it was less successful in garnering the support it sought from Muslim masses.

It seems from the analysis above and the evidence from the post-apartheid era that two features of the debate surrounding Muslims political identities are likely to continue. First: the centrality of the role of 'Ulama, as will be highlighted in the following chapter. Second, the polarization which characterised the Muslims politics during the struggle between a group in favour of participating and another who was against it; this polarization is also suggested to continue in post-1994. While a group of religious leaders still argue that Muslims should not take part in a *Kufr* politics, other bodies highlight the importance of the participation and the religious duty of Muslims to be 'good citizens'. It is the scope of the following chapter to look at these debates in the post-1994 context.

4 Chapter Four: Muslims' Political Identities in Post-1994

4.1 Introduction

In the previous chapter the struggle against apartheid and the Muslims discourses surrounding it constitute the context in which political identities have been analysed. I argued that the end of the apartheid system signalled the end of a certain form of Islamic political activism. The movements and organisations that have embodied political Islam during the intense years of the anti-apartheid struggle either disappeared or became less active. Post-1994 has nevertheless witnessed the emergence of two different forms of Islamic political involvement. In the first place, Islamic political parties were established as early as the transition itself and started to take part from the first democratic general election. In the second place, a more radical form of engagement with the state and local politics took the form of an anti-crime mass movement under the name of PAGAD. Although both the Islamic political parties and PAGAD offer two distinct models of the political involvement; one from within the state apparatus and the second from outside this apparatus, they nonetheless have one thing in common — they both believe that there is room for Muslims to work in an exclusive manner in a multi-religious and, more importantly, secular state. The question is, thus, which of the two paths resonate with the broader Muslim community and to what extent did they manage to forge a Muslim political identity in the post-apartheid era? In order to answer these questions the discourses of these two trends and their influences on the political identities of Muslims are examined in this chapter.

It is the contention of this chapter that religious identity has relatively little bearing on the articulation of Muslims' political identities in post-apartheid South Africa, by comparison with the apartheid era, when Muslims political activism was heavily charged by Islamic ethos and principles. In other words, in so far as political identities in post-1994 are concerned, these players did not seem to have any decisive influence on Muslim political choices.

Stating that, however, does not rule out the occasional influence of religious identity on the political behaviour, as I will show later in the case of Ebrahim Rasool, the ex-Premier of the Western Cape Province, who was instrumental in the ANC's success in winning Muslim votes in 2004 elections in that province, but who also

contributed to the ANC's loss of votes in the Western Cape when he was dismissed by the party prior to the 2009 elections. I use the Rasool case as an example of intersecting religious and political identities as well as an example of the context dependent nature of identities in general and political identities in particular.

This chapter will be divided into three sections; the first one will be dedicated to analysing the position of the clergy regarding Muslim participation in the new political dispensation. The second and third will focus on Islamic political parties and PAGAD respectively as new forms of Muslims involvement in politics.

4.2 State-religion debate in South Africa after the transition

Before looking at Muslim politics in post-apartheid South Africa, it might be relevant here to engage briefly in the broader debate regarding the relation between religion and politics in the years that preceded the first democratic elections in 1994. As early as 1992 Nelson Mandela emphasised the need for 'faith communities' to play a role in the process of nation-building and reconciliation. Mandela's call was addressed basically to the church, which was challenged to 'join other agents of change and transformation in the difficult task of acting as a midwife to the birth of our democracy and acting as one of the institutions that will nurture and entrench it in our society' to use Mandela's own words (quoted in Cochrane, Grunchy et al. 1999: 3). Although this call did not exclude other faith communities from playing a similar role and engaging with the state, by and large religion-state debate has been confined to the church in particular, and thus was reduced to a discussion about church-state instead of religion -state.

The focus on the church is reflected in academic literature which tried to reflect on the possible role that Christian churches could play in the post-transition era. To mention but one example is Villa Vincencio's work entitled *A theory of Reconciliation: Nation building and Human Rights* (1992) in which he explains how the change in circumstances from the struggle to democratization entails a consequent change from liberation theology to theology of reconstruction (Villa-Vicencio 1992: 1). Further more he outlines the broad characteristic of this theology of reconstruction, according to Villa Vincencio the prophetic task of the church in the era of construction 'must include a thoughtful and creative 'Yes' to options for political and social renewal (Villa-Vicencio 1992: 1).

The question remains how religion should relate to the state? And does separation of religion from state necessarily mean depriving religion from any potential political, social and economic role? In his reply to the first question, Villa-Vicencio draws on the South African experience during the apartheid when as a result of the strong alliance between the Dutch Reformed Churches and the Afrikaner state, religion became ‘captive to the dominant interests and values of the state’. Separation of religion and state, however, protects state from being hostage to particular sectarian interests and at the same time protects religion from becoming captive to the state. This separation is the foundation that underpins the secular state (Villa-Vicencio 1992: 265). Based on this argument, comes his answer for the second question, the separation in fact:

does not amount to religious quietism. The issue is not the right of believers to influence public policy, but when and how they ought to do it’ (Villa-Vicencio 1992: 268).

In his words, this separation:

allows scope for a prophetic witness, on part of churches, mosques, synagogues and temples, which contributes to the democratic process and enables religion to take its own teaching seriously’ (Villa-Vicencio 1992: 266).

By the same token, Tayob and Weisse (1999: 7-8) argue — in their introduction to an edited volume dedicated to discuss this particular issue of religion and politics in South Africa— that the western model of separating the two is not suitable in the South African context given the particular history of the country and the deep involvement of religion in the political life.

However, the South African constitution had to answer this particular question. In this regard four scenarios emerged as possible options for the new constitution; the first scenario was the establishment of an atheistic state hostile to religion, a state that has nothing to do with religion. Contrary to the first option, the second scenario involved the establishment of a theocratic state. The third and fourth scenarios were something in between, namely constructing a secular state where religion operated in the private sphere or finally constructing a secular state, but with no active role for religion (Rasool 2004: 99). In its final form the South African constitution not only guarantees religious freedom, but offers an opportunity for religious activism (Rasool 2004: 99). Thus religion has not disappeared in post-apartheid South Africa; rather, to quote Tayob and Weisse (1999: 8) ‘as much as it (religion) has been disestablished from its privileged statutory position, religious discourse and presence has become more

pronounced and more complex'. The political discourse accentuates this trend. The first democratically elected government led by President Nelson Mandela committed itself to pursuing a public policy of religious pluralism. The new government adopted a policy of non-alignment to any religious tradition or institution, but nevertheless welcomed active and constructive interaction with all religious traditions and institutions (Omer 2002: 221) In the same vein Mandela pointed out that religions were not only important in the struggle against apartheid but also for 'erecting' a democracy (Kamhausen and Heuser 1999: 121)

It is against this backdrop that I will turn now to examine the political role played by different Muslims key actors in the post apartheid context. I will start by the role of religious establishment before I move to investigate Muslims' engagement in politics through two other key players namely the Islamic political parties and the Islamic vigilant social Movement PAGAD.

4.3 Religious bodies and political participation: change or continuity?

I have mentioned in the previous chapter that the religious establishment had adopted a rather conservative stance regarding the anti-apartheid struggle and how this shaped the Muslims' involvement in it. Since the political transition in 1994, the position of clergy towards Muslim politics could be classified into two main categories in a similar fashion that prevailed in the Muslim community during the anti-apartheid struggle. On one hand, some clergy organisations maintained the opinion that Muslims should not take part in politics in a 'non-Islamic' state. For them, participation in non-Muslim politics is unlawful for the simple reason that Muslims would be inevitably involved in the legislation of laws that are not necessarily in accordance with shari'ah such as abortion, same-sex marriages to mention but few examples. Majlisul Ulama of Port Elizabeth is the most obvious example of this group. Their positions were expressed widely through published material and different *Fatwa* published in *The Majlis* —which is the organisation's mouth piece. The questions and answers section on their website contains a number of questions regarding the permissibility of taking part in the democratic process. For example, a reader asked whether the principle of shūra in Islam

would be a basis to support democracy and parliamentary system. The answer coming from the clergy confirmed:

There is absolutely no basis anywhere in the Qur'ān for western democracy and its parliamentary system. A government appointed by juhhal (ignoramuses). Ignoramuses, fussaqa and fujjar have no share in appointing a government in Islam. The Islamic system is khilafat on the pattern of the first four khulafa-e-raashideen- the rightly representatives of Rasulullah (The Majlis, vol.16. no.12).

Another question, whether democracy is a viable system of Muslims, received a similar answer by the same clergy, who said:

Allah says: 'those who do not govern according to the (law) which Allah has revealed, verily, they are the kaafooroon (disbelievers) Democracy like all other systems fabricated by the minds of men are untenable in Islam. It is an un-Islamic system (The Majlis, vol.16. no.12).

According to Majlisul 'Ulama, political participation 'is not permissible in normal circumstances, participation in non-Muslim politics and being a participant in their law making processes are tantamount of *kufri*', and participants in politics were described to be *kafiroon* (disbelievers) (The Majlis, vol.16. no.4). In another *fatwa* the Majlis said:

All governments are agents of *Kufr*, immorality and oppression. It is not permissible for Muslims to participate in the law making processes of these countries. It is haraam (unlawful) to vote for any political party whether Muslim or non Muslim

Not only that Majlisul 'Ulama did not allow Muslims to take part in politics, but they also argued against the use of mosques as venues to debate politics. Majlisul 'Ulama clerics believe that 'the masjid is a sacred venue dedicated to Ibaadat (worship) of Allah...the masjid is not established for the stupidities, baatil and *kufri* which the politicians pedal' (www.themajlis.net). The only occasion that is deemed permissible for Muslims to take part in politics is to vote for a particular party if it is known to be 'amenable and sympathetic to the Muslim community and when this party's adversary is hostile towards Muslims. Only in this particular case that majlisul 'Ulama ruled that Muslims' involvement in politics will be 'remissible and even necessary to vote for the party which pledges to safeguard the rights of the Muslim community' (www.themajlis.net).

Refraining from playing a role in the political life does not answer the important question as posed by one of my informants: 'if South African Muslims stay out of politics, how we will ensure that what is happening in the country in terms of policy is in our best interest how are we going to have our voices across?' (Interview with Quraysha Yussuf, 24 August 2010).

By the same token, Ibrahim Rasool- the Western Cape ex-premier- engaged in this debate about Muslims and their relation to the state using the traditional classifications of states as Darul Islam (Abode of peace), darul-harb (Abode of war) and Darul Shehada (Abode of Shahada). Describing how this classification could be applied to the South African Muslims and their relation to the state where they live, he said it is Darul-Shahada. In a Friday pre-*Khutba* sermon Rasool argues:

There is no immediate possibility of us establishing SA as a Darul Islam – an Islamic state where the rules of Islam prevail, where everyone that Allah orders is ordered by the state and everything that Allah forbids is forbidden by the state. But Allah does not allow us the intellectual dishonesty to say that if a country is not a Darul Islam, then it must be a Darul harb, a place of war and hostility for Muslims. There is a middle way (VOC 14/4/2009)

Surah Mumtahina describes this middle path when it says that there are two conditions for understanding our responses in a society. Whatever else a government or leader may do, if it does not forbid you your religion or drive you from your home, then act with righteousness and justice. What Allah describes here is a Darul Shahadah something that SA is regarded as being a leader in the world about – a place where we can profess our religion, live in peace and security. These are not things that are easily obtained even in Muslim majority countries. A country like Turkey has 70m Muslims but the president's wife is not allowed to wear a scarf.” (VOC 14/4/2009)

The other group is represented by clergy organisations such as the MJC and JU. In a significant departure from its conservative apolitical position during the anti-apartheid struggle, a few weeks before the Presidential elections of 2009, JU raised the issue of voting in the elections in its newsletter (Vol. 4, no. 3, 28/1/2009) under the title: ‘to vote or not to vote?’. According to JU, taking part in the elections was seen as the best thing that Muslims could do to ‘safeguard our hard-won liberties in South Africa’. JU went further to support its position by confirming that voting in the elections was not only a right but also a responsibility and a following of a ‘divine injunction’ that ‘compels Muslims to the duty of promoting good and forbidding evil’. The newsletter continues, ‘part and parcel of this obligation is to ensure that those in charge of the country are following the principles of honesty, justice and compassion’. This reference to the ‘divine injunction’ is seen as a response to those who say that participating in the election was ‘un-Islamic’. Thus, the language JU used in this call for Muslims to participate combined Islamic teachings with principles of citizenship. Belonging also has been an integral part of that call when the organisation addressed Muslims as citizens; the value of belonging was highlighted by the usage of words such as ‘our country’, ‘our hard-won liberties’, ‘our future’ and ‘our nation’ (JU newsletter, vol. 4, no. 3, 28/1/2009)

However, this shift in JU's position towards a more involvement in politics did not convince Muslim activists that there is a real change in the views of 'Ulama:

we would find a contradiction in that and almost an opportunistic response from the 'ulama now; so they say: 'oh it is a new government we must participate and we are part of the new establishment but what they are doing is what they have been doing all the time. They refer to power, they defer to power. And they don't question the power, even if it is against their understanding (Interview with Cassiem Khan, 21 January 2009).

Cassiem also argued that the 'ulama collaboration with the apartheid system 'has not been something that left in the past', which implies that the 'ulama despite all the rhetoric, 'are still seen as collaborative with whoever in power. Their goal is to keep the status quo and not to disrupt the political order' (Interview with Cassiem Khan, 21/1/2009).

I will show later how the MJC's endorsement to the ANC manifesto prior to the 2009 elections had incited a lot of debate in the community regarding the role the religious bodies play in politics.

4.4 Islamic political parties

The Muslim community must have its own political party and put its own lawmakers in parliament. Lawmakers who are members of the ANC, DA and other parties must follow the party line and the party's ideology. Muslims have their own values based on the shariah and only an Islamic political party like Al Jama-ah can best share these values with other lawmakers (Al-Jama-ah newsletter September 2010).

There is little doubt that the electoral system that was put in place in the 1993 interim constitution and confirmed later in the 1996 constitution played a vital role in opening opportunities for Muslims to found their own political parties. In theory, the proportional representation system, especially in deeply divided societies, has many advantages; enabling different segments and interests to be represented; enhancing multi-party politics; maximizing the opportunities for minority parties to obtain parliamentary representation; and allowing the formation of multi-party coalitions (Pottie 2001: 28-30). Furthermore proportional representation guarantees fairness because it ensures that each party's share of seats is more or less a reflection of its share of votes (Blais and Massicotte 1996: 74). Although the constitution makers opted for this choice with ethnic and racial considerations in mind, this system actually benefits any minority group including religious minorities. Proportional representation, however,

has some potential disadvantages: the most obvious is fragmenting the vote among smaller parties with the result that many cannot make it through to the legislature.

It is against this backdrop that Islamic political parties were established. In 1994, the first Islamic political party was established under the name African Muslim Party (AMP) by six founding members. These founding members are: Gulam Sabdia, late Abdullah Osman (from Pretoria), Dr. Shaukat Thokan, late Shaikh Rashaad, Sikander Mohammed (from Johannesburg) and Dr. Wasfie Hassiem (from Cape Town). From the onset, the AMP stated that it did not aim to form a government; instead it wanted to provide an input into the democratic process. It also aimed at ensuring that the interests of the Muslim population were addressed in the country's decision making structures. However, the party did not elaborate in detail what these interests might be. Generally, the party's programme evolved around a set of moral principles which were expressed in general terms such as: promoting morality; supporting religious groups; abolishing poverty and hunger; improving the social environment in which the diverse beliefs, customs and languages of the country are promoted; promoting free and fair trading conditions; fighting against nepotism and corruption; fighting for better education facilities, health care, housing and free public services; fighting racism and bigotry and promoting tolerance and understanding. The party's programme, however, lacked any clear vision as to how these goals would be achieved. They intended to tackle the above issues merely through adult education, promoting small, medium and start-up entrepreneurs in businesses beneficial to the majority of the people (see the party website www.africamuslimparty.org; Islamic Focus 2006: 2). Since 1994, AMP participated in all general elections, however, on a provincial rather than a national level.

In 2007, a second Islamic party was founded under the name Al-Jama-ah. Al-Jama-ah is an Arabic word meaning 'the community' and the party chose the Arabic letter (ج) (pronounced Jeem) — fifth letter in the Arabic Alphabet and the first letter of the party's name — as its logo. The party slogan is 'Islam is the answer' which echoes the Muslim Brotherhood's slogan: 'Islam is the solution'. Al-Jama-ah took part in the bi-elections in Mitchells Plain and Manenberg prior to participating in the general elections in 2009 for the first time (Al-Jama-ah, n.d.). As opposed to AMP, which was clear about not forming a government, Al-Jama-ah introduced itself as a 'viable alternative'. The party's programme advocates strong moral values in order to combat crime and poverty.

In the economic sphere, the party calls for a guaranteed minimum income for South African families of not less than R 3,000 per month. It also called for fixing the bread price at R5, the provision of jobs for young South Africans aged 18-24 and the introduction of shari'ah criminal law. In addition, the party's manifesto advocates Muslims' interests like for example backing the MPL. The party also submitted a request to the Minister of Justice to include a specialist court within the Superior Courts Bill 2010 to adjudicate on Muslim marriages, divorces, custody issues, maintenance and inheritance, and for that court to be run by religious scholars at the level of Judge. In addition, the party asked for *Imams* to be included in the Basic Conditions of Employment Act with the aim to regulate their wages, benefits and working conditions (Al-Jamah political brief, 20 June 2010).

What the two Islamic parties have in common was their notion of 'inclusiveness', as they both stress that they do not only cater to the Muslims' interests but to the South African population in general and that they welcome South Africans from all different religious backgrounds. In practice, however, there is no evidence that they succeeded in attracting support from outside the Muslim communities, despite the fact that four out of nine AMP candidates in the 2009 elections were Christians. Furthermore, the fact that Muslim parties chose to confine themselves to the provinces known for their Muslim population, namely the Western Cape and Kwa-Zulu Natal, suggests that regardless of their rhetoric of religious inclusiveness, these parties base their identity politics on religion, which means excluding non-Muslims from being part of them. However, their strategies of explicitly referring to Muslim identity in order to mobilise Muslims to vote for them did not seem to be successful. The idea of having Islamic parties did not appeal to the majority of Muslims. This lack of support of Islamic parties has been reflected in Muslim Media, in different articles and opinion polls as well as in conversations with lay Muslims. The reasons for this lack of support have, however, varied. In an article published in *Al-Qalam* newspaper, Manjara (2007) questioned the unique needs and interests of Muslims which 'can't be taken care of within the broader political parties'. According to him, the establishment of the Islamic political parties was:

A betrayal to the secular democracy, that everyone in South Africa fought to achieve. It would contribute to isolate Muslims instead of getting them to involve more actively in the broader debates and questions of identity, poverty eradication [and] economic policies, and rather get them to focus on a limited agenda that only concerns the Muslim population.

The same idea was raised by a Capetonian Muslim who expressed his concerns that Islamic parties would contribute to crystallising differences, which could do no good to the South African nation:

This (establishing Islamic parties) is not what South Africa needs at this moment, we shouldn't look at what's making us different, but what's making us alike. That's what this nation needs right now (quoted in Nyman 1994: 26).

By the same token Rehana argued that:

anything suggest that we are moving to a kind of insular approach be that in politics in the social fabric, education system, does not go well when Muslims are in minority because it means that your ability to bring Islam to the people through your personal conduct is limited (Interview with Rehana Moosajee, 22 January 2009)

In the same vein, Farid Esack—one of the four founders of the Call argued against the formation of Islamic parties saying that it reflected 'a negative response to fears of the unknown... it shows no understanding of the complexities of the problems facing the country, nor any appreciation of how Islam translates into tangible and practical policies for governing a modern state' (quoted in Vahed 2000: 44). Abdusamad Nana of Murabituun said that having political parties that are based on Islamic ethos is an 'irrelevant' and a 'rediculous' suggestion (Interview with Abdusamad Nana, 18/2/2009).

From the founders' point of view, forming Islamic parties is rather a commitment to the country's democratic values and not a betrayal as the previous newspaper article extract suggested. Participation within the 'formal political apparatus' is evidence of these parties' commitment to the country's democratic values.

The parties' manifestos also attracted criticism. These manifestos were not a real reflection of the bread and butter issues that South African Muslims were concerned about. One Muslim listener expressed his opinion in a Voice of the Cape (VOC) programme:

One Muslim party has said they will provide us with bread (referring to Al-Jama-ah manifesto) with all due respect, that is not what we want. We want homes, better education and healthcare and that is not something the Muslim parties can provide us (VOC 14/10/2008).

However, that was not the only reason Muslims oppose Islamic parties. Issues of practicality related to the minority situation of Muslims were raised as reasons for not supporting Islamic parties. Even those who did not oppose the idea of having an

Islamic party questioned and challenged the viability of these parties. One informant explained:

You are a minority, you created an exclusive club by having and creating a Muslim party, you'll have very few people who would support a Muslim party, and at the end of the day when you are talking about politics, it is numbers that count (Interview with Inayet Said, 18 October 2008)

This opinion was also expressed by a number of VOC listeners:

It is unrealistic to expect a Muslim party to have the same impact as the big parties who have a lot more resources than they [Islamic parties] do. Does it then still serve a purpose to have them stand in the elections? It's ok to say we are being democratic by giving them a chance but what else can they do for us? (VOC 14/10/2008).

I don't believe a Muslim party is the way to go. We would be better off forming a party based on common morals rather than religion, because then people of other religions would be able to join us and we would be able to make a strong case (Voc 14/10/2008).

As opposed to the Islamic parties' claim that they are well established in the Muslim community, most of my interviewees failed to name the Islamic political parties, neither were they sure about how many Islamic parties there actually is. One respondent even replied in surprise 'are there any?' in a clear indication of the distance between these party leaders and the masses. The same respondent expressed uncertainty regarding the leadership of these parties, as it is not clear who is leading them. Only one female respondent had a direct contact — not with the parties' leaders but with some supporters of Al-Jama-ah. The most discernible expression of detachment came from the African Muslims. It was that disengagement, more than anything else, which was the rationale for not supporting the Islamic parties. A discussion during a group interview in Soweto Masjid in Dlamini reflected a lack of communication and interaction between these political parties on one hand, and the African Muslim communities, which is supposed to be part of the former's constituencies. Moosa, a young African Muslim said:

We never heard of it [Islamic political parties]. We see them on the ballot papers, but we don't even know them. It is a surprise when we look at the ballot papers and find them. I don't know what they stand for. That is why our people, the ANC will continue winning even if they don't stand for Islam (Moosa, Dlameni Mosque focus group, 1 September 2010).

Another African youth, who asked to be kept anonymous, confirmed:

We don't know who these people are and what they are standing for. We are asking: what are their objectives? What are they trying to achieve? We don't know!! Maybe they just want to join the parliament and follow the foot steps of those who want to enrich themselves, but up until we have a proper Muslim party that is ready to speak the *Kalām* (word) of Allah and be of the practice of *Nabie* (PBUH) hopefully and maybe we will vote for it (Anonymous, Dlameni Mosque focus group, 1 September 2010)

Having a very narrow sectarian religious programme and a limited focus is also one reason the parties lost the African Muslims support in the townships. One respondent explained:

The manifesto they used was more on the *imams* and things like that. The whole country is not a Muslim country. If I go to campaign and started to talk about *imams* and *zakāt*, people won't understand (Interview with Yusuf Dhala Dhala– Islamic Da'wa Movement, 25 August 2010).

A number of participants also argued that it might be better for Muslims to participate from within the existing political parties, rather than forming their own parties. Rehana Mosajee for example argued that 'there is much bigger role for Muslims with Islamic perspective and values to get involved in the broader parties and bring their perspective to them' (Interview with Rehana Moosajee, 22 January 2009). Al-Jama-ah party leader, however, argues that this 'did not work for the Muslims for the past fourteen years'. He argues that participating from within the existing mechanisms was fine during the struggle because 'Muslim interests were concerned within broader struggles as part of the collective interests of society, now however, these parties are not an ideal platform to put the shari'ah first as we have seen' (undated document by Al-Jama-ah)¹. This quote suggested that whereas the struggle provided the rationale for Muslims to work side by side with non-Muslim organisations, this rationale was rendered void by the transition to democracy and thus Muslims in the post-transition era needed to work to achieve their interests that no other party can advance.

On the other hand, Muslims have been active members in almost all political parties. Those who are already active members in the mainstream political parties defend the idea of working from within existing parties without compromising their religious beliefs. For example, *Imam* Hasan Solomon from the ANC, who addressed Muslims in a seminar hosted by Islamic Peace University- SA (IPSA) prior to 2009 elections, argued that the Muslims 'as a minority in an overwhelmingly non-Muslim majority needed to function inside that non-Muslim majority while sticking to Islamic principles in order to influence and impact on the society'. He urged Muslims not to 'retreat into fundamentalist mode of separate Islamic parties and to rather practice Islamic principles when choosing to vote for a specific party'. Furthermore, he said that the Islamic injunction and non-racialism as one of the hallmarks of Islam mean that

Muslims should not support ‘a party intent on retaining privileges of a particular class of people at the expense of the poor’ (Muslim Views, March 2009).

4.4.1 Voting patterns and party affiliation

It is relevant to compare the attitudes expressed above with the level of actual support to Islamic parties or the lack thereof on the ground. It should be noted, however, that it is difficult to know how Muslims have voted in the elections due to the fact that election statistics do not provide any information about the religious affiliation of the voters, and thus it is difficult to know for certain how Muslims have cast their votes in different elections. In order to get over this obstacle, I will instead look at the votes the Islamic political parties have already managed to garner, which are arguably Muslim votes. I will also look at election results in some of the municipalities/wards known for their Muslim majorities.

Table 3 shows the 1994 elections results for the AMP. On a national level, as shown in the table, the party won a total of 34,466 votes with the major support coming from the Western Cape, 15,655 votes and Gauteng, 7,413 votes, followed by Kwazulu Natal, 6,790 votes. The AMP, however, did not gain seats. In the same year, on a provincial level, the party managed to get a total of 51,773 votes in three provinces as shown in the table 3 below. Again, it did not succeed in winning any seats in the provincial legislature.

1 Obtained through personal communication with the party leader.

Table 3 1994 elections results for AMP on national and provincial levels

Province	National Elections	Provincial Elections
Eastern Cape	1,235	n/a
Free State (previously Orange Free State)	324	n/a
PWV (Gauteng)	7,413	12,888
KwaZulu Natal	6,790	17,931
Northern Transvaal (Limpopo)	437	n/a
Eastern Transvaal (Mpumalanga)	906	n/a
North West	1,386	n/a
Northern Cape	320	n/a
Western Cape	15,655	20,954
Total	34,466	51,773

Source: compiled from:

AMP website: http://www.africamuslimparty.org/Index_files/Page539.htm

Election '94, Independent Electoral Commission. www.elections.org.za

Ten years later, in 2004, the party ran in the provincial elections only in the Western Cape, and managed to capture 11,019 votes — almost half the votes they won in 1994— which is equivalent to 0.7 percent of the total vote. However, again that was not enough to secure a seat for the party. The first success for the AMP was in the municipal government elections in 2000, when the party gained 14,540 votes, the equivalent of 1.04 percent of the total votes cast, and thus came in fifth place after the Democratic Alliance (DA), African National Congress (ANC), African Christian Democratic Party (ACDP) and United Democratic Movement. As a result the party got two seats in Cape Town Metro Council (www.africamuslimparty.org).

The most significant success for the AMP was in 2006 in the local government elections in Western Cape. The party received a total of 19,318 votes and won three seats in the Cape Metropolitan Council. Although the three seats are not in themselves a major victory, it was the circumstances that surrounded the elections that made them so. The votes were split between the DA and the ANC and neither of them was able to form a government without forming a coalition with smaller parties. The AMP formed a coalition with the DA, and thus enabled the the latter to come to power.

In 2009 general elections, two Islamic parties took part. While the AMP chose to run in the provincial legislature elections in the Western Cape, Al-Jama-ah participated in the National Assembly elections as well as in the Provincial Legislature elections in the Western Cape and KwaZulu Natal provinces. Table 4 shows the votes that each party got in the 2009 provincial legislature elections.

Table 4 2009 provincial elections for Al-Jama-ah and AMP

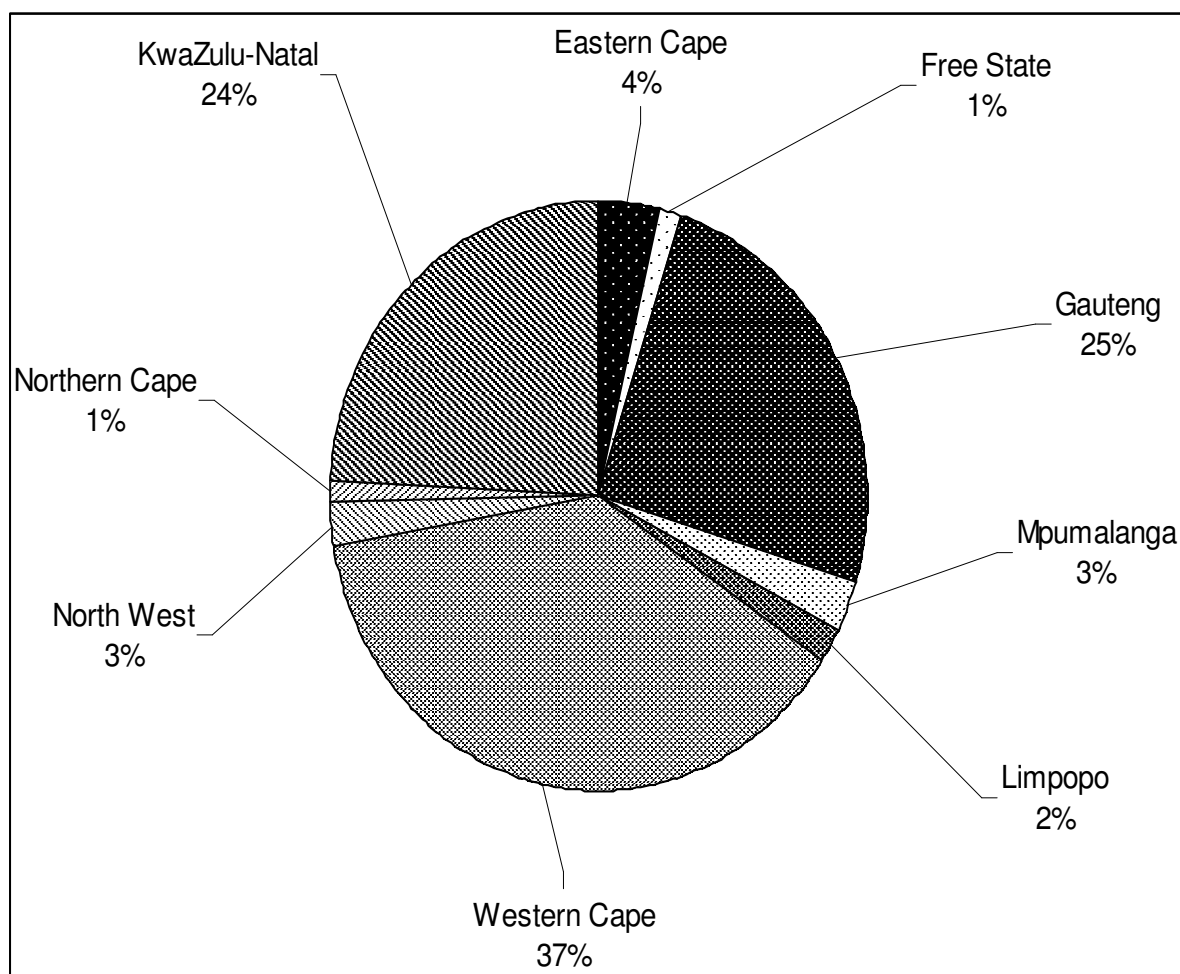
Province	Africa Muslim Party		Al- Jama-ah	
	Party Votes	% Party Votes	Party Votes	% Party Votes
KwaZulu-Natal	n/a	n/a	7,612	0.22%
Western cape	4,333	0.22%	9,039	0.46%
Total	4,333	0.03%	16,651	0.10%

Source: Independent Electoral commission of South Africa: <https://www.elections.org.za>

On the provincial level Al-Jama-ah managed to achieve better results— almost double the votes garnered by the AMP. It should be noted however, that the votes won by both Islamic parties in the Western Cape (slightly more than 13,000 votes) are still less than what the AMP alone had achieved in 1994 as table 3 shows. This means that straight after the transition, Muslims tended to vote for Islamic parties. This however has changed in the subsequent years. Siddique, an African Muslim from Winterveld told me that he voted for the AMP in 1994 as he felt the Islamic party should be ‘his home’. In the following election Siddique voted for the ANC, when I asked him why he changed his mind, he replied: ‘if I give my vote to the AMP then I am reducing the ANC chances’ (Interview with Siddique, 10 January 2009).

On the national level, Al-Jama-ah managed to get 25,947 votes; about 23,000 votes short of the minimum required to win a seat in the National Assembly. Although the party succeeded in attracting voters from all nine provinces, the figures show that the majority of support came from the Western Cape, with 9,808 votes (an equivalent of thirty-seven percent of the votes), followed by Gauteng, 6,392 votes (twenty-five percent), and Kwazulu Natal, 6,261 votes (twenty-four percent). The smallest number of votes came from Northern Cape (see figure 2). Furthermore, numbers reveal more concentration in the support base of Al-Jama-ah Party. For example, approximately 94% of the votes won by Al- Jama-ah in the Western Cape came from Cape Town Municipality. The same patterns are to be found in Gauteng, as the City of Johannesburg alone is accountable for more than 76% of the voted won by Al-Jama-ah, while in Kwazulu Natal 64% of those who voted for the party are from Durban Metro (Independent Electoral Commission of South Africa). An even closer look reveals that the majority of the votes came from certain wards. For example, in the Western Cape the majority of support for Aljammah came from: the Malay Quarter, Surey Estate, Landsdowne, Newfield, Belgravia, Rylands, Rondebosch East. In Gauteng, the support concentrated in Roshnee, Mayfair, Bosmont, Lenasia, Marlborough, Erasmia, Benoni (Al-Jama-ah newsletter, September 2010).

Figure 2 Distribution of support for Al-Jama-ah in 2009 elections



Source: Based on figures from the Independent Electoral commission of South Africa:
<https://www.elections.org.za>

This geographical distribution of votes reflects, again, the party's reliance on the Muslim votes as a primary source of support, drawing into question its ability to draw support from other constituencies. At the same time this concentrated support base is not a unique phenomenon for Islamic parties in South Africa; this pattern is equally true for all other opposition parties such as the Inkatha Freedom Party (IFP) and the Democratic Alliance (DA).¹ For these parties 'the prospects remain locked into their predominantly regional and/or ethnic bases' (Pottie 2001: 68).

Based on the elections figure, it is noticed that Islamic political parties tend to get more support on the local and provincial levels than the national levels. For example while the AMP managed to poll 51,773 votes in the provincial elections in 1994, it only got 34,466 votes on the national level in the same year (see table 3). This difference between the voting behaviour on the provincial and national levels is best reflected in KwaZulu Natal elections figures where the AMP garnered 17,931 in the provincial legislature elections while it got less than half these votes in the national legislature elections (6,790). Similarly whereas 7,612 voted for Al-Jama-ah in the provincial elections in Kwa-Zulu Natal in 2009, only 6,261 voted for the party in the national elections that year. This voting pattern raises the question of strategic voting on the part of Muslims, as they cast their votes differently on different elections level. Different studies show that this is a rather common phenomenon, as voters tend to strategically splitt their preferences between parties at national and provincial levels, as a result, some parties have greater provincial than national representation (Rule 1999: 108; Southall and Daniel 2009: 243).

The lack of support from Muslims, as shown above, led Al-Jama-ah leader to criticize Muslim voters for giving their votes to the DA. To quote Hendricks:

¹ The Human Rights Committee report following the 1999 election stated that 'IFP continued to draw the bulk of its support from Zulu-Natal and have not secured any measure of broad- based support outside of the province' The report went further to suggest that 'shuffling the cards within the same support base will not help any of the opposition parties. Unless they can make credible inroads into the constituency, they are destined to indefinitely remain minority opposition parties' (quoted in Pottie: p.68).

It is still disgusting as Muslims in KwaZulu Natal and the Western Cape who previously voted ANC largely voted DA. This represents a Muslim backlash which may be understandable because Ebrahim Rasool was fired², but KwaZulu Natal results are strange (VOC 26/4/2009).

In his criticism of Muslims who voted for the DA, Hendricks focused on the party's well-known views towards issues such as Palestine and the liberation of Al-Aqsa Mosque rather than challenging the party's known policies regarding internal local issues. Hendricks stated in a political brief dated June 2010 that the 'vote for the DA must change so Muslims can wipe out this blot on our 300 years fight for human rights'. It is worth noting here that it was a common theme during the interviews that my informants criticize the DA because of their known position in the Israeli-Palestinian conflict, offering this as a reason why the DA is not supported by the majority of Muslims. For example, Quraysha Yussuf argued:

As a Muslim, I was in this conflict especially in last elections. I know that the ANC is not delivering, but the ANC is still protecting the Muslim rights comparing to the DA. But because the DA is still strongly allied to Israel, although the DA is better in terms of local elections, in terms of international policies and foreign policies, the DA will be more detrimental to me as a Muslim. So what should I do? There was too little choice, so you end up voting ANC (Interview with Quraysha Yussuf, 24 August 2010).

With the limited number of votes going to the Muslim parties, and in the light of the views expressed above regarding the Islamic parties, it seems that Manjara (2007) is right in assuming that voting for the Islamic parties does not necessarily stem from political allegiance, but rather from a 'sentimental vote' as he called it, and that the votes that went to Islamic political parties are those of voters who may not necessarily vote or a voter who is undecided. As for the elections results in the municipalities and wards that are known for their Muslim majority, numbers did not show that Muslims followed any distinctive voting patterns, but rather 'followed the crowd in which they find themselves' (Muslim Views, July 2009). For example, in Rylands ward, where fifty percent of the population is Muslim, the ANC lost the 2009 elections to the DA, with Cope coming in the second place and the ANC only third (VOC 4/6/2009). It is noteworthy that these results showed similarities in voting patterns between Muslims and non- Muslims and were consistent with the general results in the Western Cape, where the DA won the elections. Similarly, in KwaZulu Natal an analysis of three

²I will dedicate the following section to examining this issue and its impact on the ANC support in the Muslim community.

Muslim dominated voting districts in the province showed that the DA got the most support in two of them while the ANC was the favourite in the third. The same pattern was repeated in Gauteng, as the DA won in three districts known of its significant coloured populations (Muslim Views July 2009).³ It is also noteworthy that the shift from supporting the ANC to the DA was proved to be the general trend amongst the coloured population in general. The most recent study about the 2009 general elections shows that the coloured population abandoned the ANC for the DA, and that even the segments in the coloured community which were loyal to the ANC over the past elections were shattered by the division and factions inside the ANC (Southall and Daniel 2009 :237).

In investigating the discourses surrounding Islamic identification in the political domain, it is important not to forget the voices from the Islamic religious establishment. Both the Islamic political parties and lay Muslim individuals highlighted the role the clergy played in shaping the Muslims' attitudes towards Islamic parties. In my interviews a number of informants highlighted the fact that Islamic parties would be more likely to succeed if they would enjoy the support of the religious bodies:

SA Muslims are practicing Muslims. If they are worried about something they'll take the opinion of the Shaikh. (...) as a result when it comes to voting and political matters, they want to know what the Shaikh says, why? Because it is always easier when in a doubt to take some one's opinion a fatwa, blame it on a Mufti. If they said we must not vote because they are kuffar, it is finished (Interview with Quraysha Yussuf, 24 August 2010)

Realising their valuable weight and importance in such discourse, Islamic parties' leaders criticised the clergy for not supporting the Islamic parties and for not advising Muslims to vote for them. In this sense the religious leadership seemed to be caught between a rock and hard place. On their side the MJC were more vocal about the role the Muslims should play in the elections, compared to other religious bodies in other provinces. In this regard, the organisation adopted a new policy in 2008, according to which it asserted its firm position not to 'tell the people who to vote for'. Theoretically, this is a clear departure from their initial position on the eve of the first democratic elections when the MJC explicitly encouraged Muslim voters to vote for the liberation

³These numbers are driven from a seminar hosted by the International Peace University (IPSA).

movements (VOC 9/12/2008). Furthermore, the MJC opted not to encourage voters to vote for the Islamic parties either. According to the MJC:

...since many political parties stood for broad principles which Muslims were in agreement with, there was no reason why Muslims could not vote for non-Muslim parties

This position of not calling for Muslims to vote for the Islamic parties, and for encouraging Muslims to vote for the parties of their choice, was criticized by the Al-Jama-ah leader who challenged the MJC's views arguing that Muslims must vote for a party that promotes Shari'ah and should not vote for parties with ideological frameworks like capitalism, communism and zionism (VOC 15/4/2009).

Following the Islamic parties' weak performances in the elections, the MJC's views were partly blamed for their failure to win the Muslims' votes. An article written by Hendricks argued:

...MJC is doing nothing to take them (Muslim voters) away from the White laager; that now needs to change their socio-economic policy. How can you tell your folks to vote for a party of their choice while so many inequalities still exist? Their fatwa (religious ruling) is flawed. This is a sign of lame duck political Islamic leadership satisfying some of their *Imams* yearning for the old days of apartheid...

However, the MJC also came under attack when it announced its 'endorsement' of the ANC electoral manifesto. There were mixed reactions to the MJC position, especially that it was interpreted as a support to the party and thus a call to Muslims to vote ANC in the elections. The MJC denied such claims and said that its decision to endorse the manifestos of political parties was in line with its new policy for socio-political involvement, as amended in 2008. According to clause 4 of the policy, policies and manifestos of political parties should be made available for scrutiny in order to inform the Muslim community about the different political views and policies. Thus the MJC's endorsement of the ANC's election manifesto was not an outright endorsement of the ruling party. According to the MJC, the organisation invited all the political parties to present their manifestos for review prior to elections, but only the ANC replied (VOC 26/2/2009). Following the endorsement and in a bid to win the Muslim votes, other parties such as the DA, COPE, IFP submitted their manifestos to the MJC. This step from the parties' side is evidence of the religious bodies being perceived as key players and gate keepers in gaining access to the Muslims' support.

This endorsement, however, did not necessarily produced a Muslim support to the ANC. A survey by International Peace University- South Africa revealed ‘that there is an inconsonance between the leadership; the Muslim leadership which is very supportive to the government and the people on the ground who have negative attitudes towards the government’ (Interview with Farid Sayed 7 October 2008). Farid Sayed attributed this lack of agreement between the religious leadership and rank and file Muslims to the differences in priorities; while religious establishment is concerned with preserving Muslims rights in terms of building mosques, *madrasas* and in terms of freedom of belief, rank and file Muslims are more concerned with ‘bread and butter issues’:

it is basically because people on the ground while Muslims, Christians, African traditional, whatever, your relation with the government is not shaped by how many mosques there are, do they allow us to fast to go to hajj; those are peripheral issues the main issues on the ground that the government providing housing education etc. (Interview with Faried Sayed, 7 October 2008)

4.4.2 The case of Rasool: how important is the religious identity?

The limited support for the Islamic parties, as I illustrated above, suggests that voting patterns are hardly influenced by religious affiliation. However, this does not rule out the interplay between religious and political identities. In this section I argue that Muslims’ political identity is highly context-contingent and that under certain circumstances it is very hard to draw a line between religious and political identities. I draw on the case of the Western Cape premier, Ebrahim Rasool, to back up this argument.

Ebrahim Rasool was one of the founders of the Call of Islam and its national secretary between 1984 and 1994. After the transition he held several positions within the ANC, first as a member of the National Executive Committee (NEC) of the ANC for health and social services, between 1994 and 1998, and for finance and economic development between 2001 and 2004. In 2004 he became the chairperson of the African National Congress in the Western Cape and the premier of the Western Cape till 2009. The election of Rasool as the Western Cape premier was seen as a victory and an achievement for the whole Muslim community. That was described by the ‘Ulama as equivalent to the arrival of Shaikh Yusuf at the Cape.

There were two big days in the history of Cape Muslims: the first was the day when Shaikh Yusuf came and brought Islam to the Cape, and the second when Ebrahim Rasool became the premier of the Western Cape (Interview with Munadia Karaan, 8/10/2008)

The link between the religious and political identities is reflected in the high number of Muslim votes that the ANC won in the 2004 elections:

Because Muslims wanted to see a Muslim premier, it had never happened before in the history of this country. People have come here as slaves, and suddenly you have a child of slaves a couple of generations later living in the house that is having the highest power in the Western Cape (Interview with Munadia Karaan, 8/10/2008).

After the elections, Ebrahim Rasool himself, in an article in Muslim Views said: 'the year 2004 will probably go down as the year in which the Muslim vote- in the Western Cape especially was decisive' (Muslim Views, April 2004). The analysis of different Western Cape districts revealed that the ANC recorded victories in those districts that had Muslim majorities such as Bo-Kaap, Walmer Estate, Salt River, Crawford, Gatesville, Rylands, Landdowne, Wynberg and Surrey Estate (Muslim Views, April 2004).

As much as the presence of Rasool had positively raised the ANC's profile within the Coloured Muslim community, his dismissal from the post affected the ANC negatively in the subsequent elections in 2009.⁴ Despite the fact that there is no evidence to claim that the ANC failure in the Western Cape was attributed to the removal of Rasool⁵, there is no doubt that the ANC support was affected negatively by that. The first reaction came from the religious fraternity. The MJC raised concerns that the ANC support in Western Cape would be affected by this step. To quote the MJC statement, the ANC decision to unseat Rasool was described as:

[A] very unwise and extremely short-sighted decision. In view of the current political climate of uncertainty and confusion in the province, we strongly believe that the decision taken by the ANC will be detrimental to the ANC in the Western Cape and there will be grave consequences in the upcoming national elections in 2009. the Muslim Judicial council echoes the sentiments of the broader Western Cape community, as well as nationally thus we appeal to the ANC NEC to revisit the decision that was taken over the weekend of 11-13 July 2008 with sober minds, and to reverse it (quoted in VOC 17/7/2008).

⁴ The divisions in the ANC in the Western Cape started in 2007 when an investigation against Rasool was launched after the DA brought a motion which was supported by a group within the ANC. Hellen Zille, the DA president, claimed that the 'ANC comrades leaked information' on Rasool's government to the DA. She claimed that former chairperson, Mcebisi Skwatsha, and the ANC chief whip, Max Ozinsky, had given information to her party to undermine Rasool. The divisions further increased after Rasool openly supported Thabo Mbeki's bid for a third term as ANC president, Skwatsha and Ozinsky feverishly campaigned for his arch-rival, Jacob Zuma. As their public spat continued the ANC later suspended Rasool and Ozinsky (Ozinsky, Rasool may face expulsion 11-11-2009 Cape Times- published in VOC)

⁵ Daniel and Southall (2009) argue that the ANC's defeat in the Western Cape was a result of 'vicious factionalism which took on a racial form'. It should also be noted that 2009 elections witnessed the ANC losing the Coloured votes not only in the Western Cape, but also in Gauteng.

Furthermore, the MJC joined other ‘Ulama bodies under the umbrella of the United Ulama Council of South Africa (UUCSA) to meet with the ANC’s senior leadership led by secretary general, Gwede Mantashe. During the meeting the ‘Ulama were reassured that their concerns were being taken seriously by the party (VOC 17/7/2008). Despite the fact that the ANC told different ‘Ulama bodies that Muslims should not make the mistake of thinking that Rasool’s removal last month was a religious issue⁶, it is obvious that Muslims saw the matter differently; an opinion poll conducted by the VOC confirmed the MJC warnings, as 68% of the participants said this would cost the ANC their vote and that the ANC would not be able to hold on the Western Cape without him. Some VOC listeners called the radio station to say that MJC should put pressure ‘to get Rasool appointed as an ambassador’. Rasool was later appointed advisor to Kgalema Motlanthe the minister in Mbeki’s office who later become the appointed president of South Africa. This appointment was said to be intended to appease the Muslim community. However, this was not enough to undo the negative effect the removal had caused earlier. A poll by VOC showed that the later step from the ANC side did not change the participants’ opinion of not supporting the party. It must be noted that this angry reaction from the religious institution was described by Raashid Galant in Muslim Views as showing ‘a narrow engagement in democratic politics since the concern about his removal hardly reflected on the merits of his tenure in office but rather the fact that he was Muslim and the impact that his removal, as a Muslim, would have on the Muslim community’ (Muslim Views, October 2008).

Although it should be noted that 2009 elections witnessed the ANC losing the Coloured votes not only in the Western Cape, but also in Gauteng, the example of Rasool as explained above shows that the Muslim vote in the Cape could have been decisive in such contested politics.

4.5 Challenging the state: the case of Pagad

Social discourse about crime is a highly useful context in any debate about the construction of social identities in general and political identities in particular for the

⁶ It is believed that the ANC told the clergy that it was considering various options on the redeployment of Rasool.

simple reason that it is all a discourse about social order (Frueh 2003: 133). In South Africa this is particularly true with the increasing perception that the government is incompetent to deal with crime and with the emergence of social movements that challenge the state authority in this respect. Almost all communities that go through any form of massive social transition experience increasing crime rates and South Africa is no exception in this regard. It should be noted, however, that post-apartheid crime carries the 'baggage of apartheid'. Crime was an integral part of Black township life, nevertheless, certain factors contributed to the exacerbation of the problem; first: apartheid police cared less about preventing or reducing crime in the black areas, the focus was more on how to control crime in white areas by controlling the movement of blacks into these areas, second: victims of crime in the Black townships refrained from reporting crime to the police, the latter was perceived as part of the repressive state instruments and thus reporting crime to police was considered as a 'betrayal' and collaboration with the apartheid system, third: the security forces themselves played a role in promoting crime in the Black communities as a counter-strategy to deal with more politically motivated activities (Frueh 2003: 133-135; Desai 2004: 17).

Many factors contributed in post-transition increasing crime rates, such as the restructuring of the police services which amalgamated eleven former police forces into a new body i.e. South African Police Services (SAPS) which resulted in coordination problems, and ultimately rendered the new body unable to face the crime problem (Desai 2004: 17; Gottschalk 2005: 1). In 1998, the International Criminal Police Organization (Interpol) data showed that South Africa's high level of violent crime was the main reason why South Africa came out on the top as far as crime is concerned. According to the Interpol data, South Africa recorded 5,065 crimes for 100,000 of the population. While this rate is less than other countries like Canada, Australia and France, South Africa had a higher murder rate (59 per 100,000 of the population) and higher violent theft and robberies rate (208 per 100,000 of the population) which made South Africa the 'world crime capital'. Between 1994 and 1999, data revealed that one out of three crimes recorded in South Africa involved violence or the threat of violence (ISS crime index Bloor, Frankland et al. 2001: 1-2).

The crime situation was even more complicated in some provinces like the Western Cape where the problem was heavily politicised due to party politics. The

Western Cape, had its own circumstances which made the crime and gang problems even worse and less controllable. Drug abuse and gang problems reached dangerous levels, particularly in the Coloured townships in Cape Town. It is beyond the realm of this study to track back the history of gangs in the Western Cape townships, but suffice it to say here that the gang wars in this area date back to the early to mid 20th century. It is against this backdrop that People against Gangsterism and Drugs (Pagad) made its first appearance in the Western Cape scene in 1996.

Pagad must not be looked at as a unique structure; nor as an exclusively Muslim creation. Pagad should instead be looked at in the wider context of the phenomenon of anti-crime vigilante groups which emerged all over the country as a kind of community-driven response to the escalating levels of crime in post-transition South Africa. These community driven responses constitute the alternative to private security companies and armed response and patrols which the middle and high social classes could afford, but remain certainly out of reach to the township residents who, in search for a solution to the crime problem, invented vigilante groups to take the law into their hands. What made Pagad stand out amongst these groups was the predominance of Muslims among its members, which led to the perception that Pagad was but one form of Islamic Fundamentalism in South Africa. Not only was this image stressed in media coverage both locally and internationally, but also in academic literature that looked at Pagad as a radical and fundamentalist group (see for example: Funke 2004), and which made confirmations that ‘the threat of Islamic terrorism to the Republic of South Africa is real’ (Botha 2005: 9). This view, which lacks the broader understanding of the whole phenomena, was, however, challenged by some scholars (see for example Gottschalk 2005). In the following account I am not trying to provide a full account of Pagad, I will, rather, focus on the aspects that would help in probing its relevance to political identity construction within the Muslim community. My focal point will be the organisation’s discourse regarding its own anti-crime activities, as well as the responses from the state and other Muslim key players, such as the religious establishment, and how it all influenced the way lay Muslims see the organisation and identify with it.

4.5.1 Pagad: A background

Pagad was first launched in 1996 by a group of teachers and social workers from Cape Flats. Prior to the formation of Pagad, a network of scattered civic movements and

neighbourhood watches in Coloured residential areas existed (Bangstad 2005: 198). Its Islamic exclusiveness was first denied by its members who claimed that it was a mere anti-crime organisation 'whose members happen to be mostly Muslims' and thus it was open to everybody regardless of their religious background (Gottschalk 2005: 3). This downplay of any particular association with Islam aimed to adopt a more inclusive discourse and portray itself as a community-based organisation rather than a faith-based one. The ultimate goal was to draw a wider support from the public for the cause of fighting drugs and gangs in the community (Müller 2000: 70).

Despite this inclusive call, the Islamic character of the organisation was undeniable, especially in its early days. On its website, Pagad's own description of its existence was charged with religious ethos; the organisation saw itself as a 'response to a divine injunction'. Furthermore, its message to eradicate drugs and gangsterism was seen as a duty towards the Creator and in compliance with the Qur'ānic instructions to the *Ummah* to 'enjoin what is right and forbid what is wrong and believe in the Creator' (www.pagad.co.za). In this sense Islam is interpreted as 'obligating the mobilisation against gangs and associated problems' (Müller 2000: 70). Furthermore, the organisation's practices also confirmed its Islamic identity; meetings were conducted in mosques, members adopted an Arabic outfit which was perceived to be Islamic. Furthermore, the vocabulary Pagad used in their slogans and during their marches was infused with Islamic and Arabic culture (Desai 2004: 9). Due to all these manifestations Pagad was widely perceived as an Islamic organisation and sometimes even a 'radical' and 'fundamentalist' one.

Pagad's first public activity was in May 1996 when it organised a march to the Parliament in Cape Town, demanding the authorities take effective action against drug dealing within 60 days. The organisation warned that the state's failure to respond would mean that the organisation would be taking matters 'into its own hands'. The march was attended by prominent figures from the MJC as well as the leader of Qibla, Achmat Cassiem. In December 1996, Pagad was launched formally in a rally attended by over 10,000 supporters in Athlone Stadium. Amongst the supporters was Shaikh Nazeem Mohamed, head of MJC, providing stark evidence that Pagad enjoyed the support of the religious establishment (Bangstad 2005: 198; Gottschalk 2005: 5).

However, the actual work of Pagad started even before its formal launch. In August 1996 Pagad organised a march to the house of Rashaad Staggie, an alleged drug dealer and co-leader of the Hard Livings gang. The march ended when Staggie was shot dead and his body set alight (Gottschalk 2005: 5). This march signalled the beginning of a militant phase of the organisation. This militancy also manifested itself in adopting a more violent discourse in its marches, speeches and slogans. One example is the organisation slogan in its marches; ‘one (drug) merchant, one Bullet’, which echoed the 1980s slogan adopted by the Azanian People’s Liberation Army (APLA), the armed wing of the Pan-Africanist Congress (PAC) during the liberation war: ‘one settler, one bullet’. Not only did killing threats become public, but Pagad also founded its own armed wing known as G-force, and it became normal to see Pagad members in public armed with AK-47s, R4s, Uzis and a wide variety of shotguns and pistols. Between May and July 1998, a series of Pibe bomb attacks — largely on Cape flats— were allegedly carried out by Pagad, targets included restaurants, businesses, state buildings, police stations and prominent tourist sites. In other words, what had started as a counter-crime social movement, turned to be an illegal organisation itself by increasingly involving in illegal activities (Shaw 2002: 35, 96-98; Gottschalk 2005: 5).

This dramatic shift in Pagad’s work was attributed to a change in the organisation’s leadership. A second generation of leaders, known for their strong ties with Qibla, took over the organisation. Four Pagad founders – Ali Parker, Farouk Jaffer, Nadthmie Edries and Ebrahim Satardien – complained of a Qibla faction with a hidden agenda. The four leaders were expelled in September 1996 and two of them, Jaffer and Satardien, were subsequently assassinated. That was followed by the resignation of a number of founding members who warned that what was going on in Pagad gave an excuse to gangsters and drug dealers to commit crimes and then claim they were done in Pagad’s name (Gottschalk 2005: 5-6).

4.5.2 Pagad’s discourse on Crime and politics

It is noteworthy that despite the fact that Pagad was mainly established to combat crime and drugs, as I mentioned before, looking at the organisation only from this perspective would be oversimplification. Pagad’s discourse on crime is heavily charged by political discourse rendering the two aspects inseparable. On one hand, fighting crime and drugs is seen by Pagad as an Islamic obligation. Müller defined this obligation

as a 'defining feature of the faith in that they (Pagad) are willing to challenge the legitimacy of the political and legal dispensation created through democratic process. Pagad therefore sees itself as above the law and the constitution'(Müller 2000: 70). 'The mere act of taking matters in Pagad's own hand is an expression of challenging the state on one of its core functions which is security. Pagad's discourse and activities have always undermined the police, as the latter's failure in taking the streets back from the drug dealers was used by Pagad to justify its vigilante activities. According to Pagad spokesperson Cassiem Parker, 'communities are forced to take a stand for crime when the police fail to deliver...The police are doing nothing about it, so we are saying that if the police are not going to do something then we will, and you can call us any name you like' (VOC 1/12/2009). Pagad does not seem to care that much about the label that has been given to them as a vigilante group. Uthman Saheb, Pagad Spokesman explained by saying:

What is the definition of vigilante? It is someone who keeps vigil, it is watchful, a guardian who is consistently on the lookout. By that mere definition we believe everyone should be vigilant (VOC 9/10/2007)

Furthermore, the Pagad's criticism to the state did not stop there; the state has been always accused of being firm and swift in dealing with Pagad members, while at the same time lacking the political will to deal with drug dealers and gangsters. 'To use Pagad's own words, the state 'has chosen to use its resources to pursue this matter (prosecuting Pagad members) rather than arrest the drug dealers' (VOC 29/6/2006). The same idea has been always reiterated by Pagad every time a member is prosecuted and/or sentenced. For example, in 2009 Pagad spokesperson Salie Abader criticised the police's lack of response to the community's calls and reports about crime, he said ironically: 'Maybe the community should tell the police that there are Pagad members in the area, because then you will see the police, the defence force and everyone else are there in full force. Maybe then they will be able to assist the people' (VOC 1/6/2009). In the same vein, the ruling ANC government was accused as 'illegitimate' and 'sell outs' (Jeppie 2000: 217). This anti-state rhetoric of Pagad started the 'confrontation' phase of the relationship between Pagad and South African police and intelligence agencies as will be discussed in the following section.

The one aspect that even complicated Pagad's position, and to a great extent shaped how it was perceived both by the state and by the broader Muslim population, is

the association with Qibla. Some of Pagad's political views simply echoed Qibla's notions and positions on politics. This led lots of analysts to confirm a linkage between the two organisations. During one of its marches Pagad supporters carried a poster demonising democracy as it reads: 'Democracy is the Evil's law' (Jeppie 2000: 217; Bangstad 2005: 208). Interestingly both Pagad and Qibla denied any direct contacts; on his side Achmet Casseim confirmed that: 'Pagad have their own administration', but he also added 'but all Muslims I must insist and all genuine leaders around the world are opposed to gangsterism and drugs and to any form of intoxicants' (quoted in Desai 2004: 5).

4.5.3 State's discourse on Pagad

In the first stages, the relationship between Pagad and the state was not hostile. On the contrary, evidence suggested that the state implicitly 'endorsed' Pagad (Jensen 2008: 186); that was clear in the ANC statements where the government expressed 'sympathy' and 'understanding' to the concerns of Pagad (ANC Parliamentary Bulletin 19/8/1996). It also perceived Pagad as a 'popular movement' and acknowledged that those who joined Pagad initially 'wanted to find solutions (to the problem of drugs and gangs) together with the government' (ANC statement 4/11/1996). Initially the government sought to work with Pagad through joint meetings with relevant authorities (Bangstad 2005; Gottschalk 2005). However, these meetings did not yield any concrete co-operation between the two sides.

However, as a result of the increasing militancy on Pagad's side, the state changed its soft approach in dealing with the organisation. It is also argued that the shift in the state's approach was attributed to the politicising of the whole issue; as Pagad — according to the ANC — was clearly used by the National Party to criticise the ANC government, or in ANC's words to 'score cheap points against the ANC and to pursue their own political agendas' (ANC parliamentary Bulletin 19/8/1996). Furthermore, The ANC in the Western Cape argued that there are elements within pagad

who would want to turn genuine and popular sentiment against crime into an anti-central government campaign- the genuine cause becomes discredited and lives are endangered in the process (ANC: Concern at form and content of Pagad protest- ANC DIP western Cape 1996).

The ANC thus, wanted to prove that they are tough not only on gangsters but also on 'those who take law into their own hands'. In order to deal with Pagad, the

ANC government took the following measures: first, it classified Pagad as a ‘vigilante group; in December 1996 the police accused Pagad of having become another gang itself and of being part of the crime problem (Dixon and Johns 2001: 15). Secondly, the state aimed to isolate the movement and prevent it from acquiring legitimacy and support. A threefold strategy aimed at denying Pagad political space, religious space and financial access (Gottschalk 2005). As a result, political parties were encouraged to speak out against the group and religious leaders were asked to deliver Friday sermons in which they condemn Pagad for their acts. In 1997, after Pagad members invaded Muir Street mosque to abuse and manhandle one of the Congregation’s members, the MJC issued a statement in which it expressed:

....condemnation of the abhorrent behaviours, this constitutes a violation of the sacred time of Jumah, the sacred space of the masjid and the sacred person of an individual and calls for the highest censure (quoted in Gottschalk 2005:7).

On another level, in order to secure lengthy prison sentences to Pagad members, the state redefined anti-crime violence as ‘urban terrorism’ (Jensen 2008: 187-188). Another strategy was to neutralise Pagad by downplaying its achievements and at the same time empowering neighbourhood watches and street committees by giving them more recognition. For example, in Mitchells Plain, police station commander, Jeremy Veary, attributed the police success in executing more than 400 drug arrests to these committees and neighbourhood watches (VOC 22/8/2009). On the same note, he downplayed Pagad’s role and achievement, saying that:

Pagad has not closed a single shebeen or drug outlet in their history. Pagad is a non-entity as far as we are concerned and [is] average in size compared to our street committees’ (VOC 22/8/2009).

On many other occasions, Jeremy Veary stressed that the police did not acknowledge Pagad in the first place:

We don't recognise Pagad, they are irrelevant. We have structures we work with, like street committees and sector policing. Pagad did not bring any value to the table (VOC 1/6/2009)

It is noteworthy that Al-Jama-ah political party didn’t share the ANC government its views regarding Pagad. Al-Jama-ah commended Pagad for its activities. According to Al-Jama-ah, ‘only activists of Pagad and the liberation movements will rid the townships of drugs and gangsterism’. Furthermore the party called on the community to ‘ask President Jacob Zuma to pardon Pagad members and other activists who are still in jail for fighting apartheid, crime, drugs and gangsterism’ (VOC 29/5/2009).

4.5.4 Pagad and identity politics

Thirteen years down the line, and specifically in August 2009, and despite the state's effort to eliminate Pagad, the latter managed to mobilise the communities across Cape Flats to a march to parliament, police stations and drug dens. Pagad was still determined 'to get its point across and its voice heard', as stated by its executive member, Osman Sahib, and its methods did not seem to have changed greatly as he stressed that it is prepared to 'meet force with force and violence with violence' (VOC 22/8/2009). The question remains thus, to what extent was Pagad successful in its quest to advance a Muslim support behind its cause? And what is the role played by Islam as a common faith to attract support for Pagad? To what extent did Pagad manage to mobilise supporters, and on what basis? Following different polls and survey studies that were conducted since Pagad's formation, it became obvious that levels of support to Pagad had changed and varied along the course of events. A few months after Pagad was founded, and more specifically in November 1996, a survey showed that Pagad enjoyed the support of 64% of Cape Town Muslims who took part of the survey. Among the Christians this support fell to a mere 17 per cent. Only 15 per cent, however, perceived the organisation as representing the community as a whole as opposed to 26% who believed it represented Muslims (Bangstad 2005: 199; Gottschalk 2005 :5).

From Pagad's point of view, the movement admits that its membership has dropped dramatically but, according to them, what matters the most is the quality rather than numbers. Pagad argues that members now is much better than it was in the beginning because new members know how they might be branded by the media, and how the state will deal with them, but still join Pagad out of convention (Dixon and Johns 2001: 32). However, Pagad has also a view as to why the organisation failed to mobilise the people to support the cause. The fear generated by both the media coverage of the organisation and its activities and the state oppression that drew people away from Pagad. As a result people did not want to go public with their support of the organisation; as a Pagad spokesperson put it:

People don't come out- not because they don't want to support Pagad, but because of the simple reality...the reality of having to defend yourself (quoted in Dixon and Johns 2001: 31).

Media continuously made unsupported allegations such as those concerning links between Pagad and Iran, Afghanistan and even Libya; featuring it as an extremely

fundamentalist organisation, which in the final analysis drew a barrier between Pagad and the broader Muslim community, let alone the broader population in the Cape.

Pagad Committee member Abdullah Sallie said:

There is a sense of Islamophobia, and we were labelled extremists, Muslim fundamentalists. It got to a point that whenever there was a gangster killed, people would blame Pagad, without so much as a shred of evidence. We do not seek to take the law into our own hands.

Furthermore, Pagad blamed the religious establishment for its failure to win Muslims' support. From the outset Pagad drew the religious leadership into the middle of the discourse in the same way that the Islamic parties did. In other words, in the same way that Islamic parties blamed the lack of support on the religious bodies, Pagad almost did the same. Pagad was very critical of the role that the religious bodies were playing in the lives of Muslims, and particularly in facing and addressing the social ills like drugs, crime and gangsterism, either because the community was growing faster than the capacity of the religious institutions to actually help, or because the approaches the religious establishment adopt were outdated. As a starting point, Pagad used these shortcomings of the religious institutions to justify its very own existence. Pagad also criticised the religious establishments for their lack of support; for cutting Pagad off from the mosques. Pagad was very harsh on the 'Ulama, describing them as 'hypocrites' and even 'religious gangsters' (Dixon and Johns 2001: 6, 10-11).

A spokesperson of Pagad, argued that his organisation enjoyed the support of the public in the beginning but following the publication of a survey by IDASA, that revealed that any mass support for the Pagad had to start with the religious establishment as the main key players to change Muslims attitude towards the organisation, everything has changed. The state, as argued by a Pagad spokesperson:

picked on that, the state used the religious personalities in order to say to people don't go the Pagad route...go what they call tolerance, negotiations, whatever route... the religious personalities did not come out of the blue and decided to make statements against Pagad..it was because of the IDASA report that they felt how do we cut off the community from Pagad' (quoted in Dixon and Johns 2001: 31).

As we have seen above, identity issues were at the heart of the confrontation between Pagad and the state. On its part, Pagad has tried to mobilize supporters behind its cause against crime, but this was inevitably a mobilisation against the state to a great extent. On the other hand, the state tried to alienate Pagad by criminalising its activities and prosecuting its members. Yet after more than fourteen years, Pagad is still active in

the coloured communities in the Western Cape. Determined to 'get its point across and its voice heard'—as stated by its executive member Osman Sahib—it managed to mobilise the communities across Cape Flats to a march to parliament, police stations and drug dens. Its methods did not seem to differ much, as it stressed its preparedness to 'meet force with force and violence with violence' (VOC 22/8/2009).

Religious identity was drawn in the confrontation. The measures taken by the state to fight Pagad were portrayed by Pagad as an action against 'Muslims'. This accusation was rejected entirely by the ANC who described these allegations as 'incorrect and irresponsible' (Statement by the ANC 14/8/1996). Furthermore, Syeve Tshwete, minister of Safety and security, said that Pagad is 'a group of terrorists, using Islam as a front for their cowardly activities, and bringing the name of a great religion into disrepute' (Rasool 2000).

I argue that the presence of Rasool in the leadership of ANC in the Western Cape helped to render these accusations invalid and helped to assure Muslims that the ANC measures were not directed against them as Muslims but rather against a group that chose not to abide by the law. Rasool spoke to the Western Cape legislature saying that Muslims actually have all their rights recognised, they participate in the country on all levels, and they should not nurture these sentiments of anti-Muslims allegations (Rasool 2000). Moreover, the available data suggests that the support that members of the Muslim community expressed towards Pagad was based on the needs of the community which Pagad was perceived to meet, rather than the religious affiliation of its members. Those who supported Pagad often referred to its role in bringing security to the community, as one listener to the VOC put it: 'what we really need is for the government to release Pagad from Prison so that they can sort these gangs out. When they were around, they managed to hold the gangs at bay'. In another poll, carried out by VOC also, Pagad was seen as a 'community initiative to fight crime' (VOC 20/12/2006). This conclusion is supported by Bangstad's (2005) study in which his Muslim informants attributed their support of Pagad 'to the needs of the community and the good ideas they stand for'.

4.6 Conclusion

From the previous presentation, it becomes clear that Islam was introduced as a valid political ideology during the anti-apartheid struggle as well as after the transition. During the two periods the radical strands as well as the more moderate/mainstream political Islam co-existed. In the post-transition era, many key players sought to forge a political identity of the Muslim community. However, those attempts were not a success; neither of the two manifestations of political Islam in the post-apartheid era managed to capture the Muslim support to be able to say that there is a political identity which is based on or stems from the religious identity.

On one hand Islamic political parties failed to mobilize the Muslims' support. This result is not unique to South Africa; Roy (2002: 78-79) for example concludes that both in Islamic countries and where Muslims are minorities 'there is no Muslim vote' and that Islamist parties could not garner more than twenty percent of the electoral votes anywhere in the world. This is similar to the experience of Islamic political parties in other parts in the African continent. It is particularly relevant to reiterate O'Brien's (2003: 115) remarks regarding the Islamic parties in the Kenyan context which he finds unrealistic in political terms. In his opinion, forming an Islamic party in Christian dominated state invites marginalization as well as it ignores the substantial divisions within the Muslim community. To use his exact words, O'Brien said: 'For a minority religion to put itself forward as a political party would appear to invite what at best [may] be some subordinate status within a multi-party coalition; at worst, and much more likely, exclusion from any share in the fruits of power'. In Nigeria the same conclusion was drawn by Peter B. Clarke, who argues that for an Islamic party to win any elections '[it] would need the support of non-Muslims throughout the country... for such support to be forthcoming from non-Muslims, the party had to show a convincing emancipation from sectarian religious objectives'(Clarke 1987: 130-131). It is the same issue of marginalisation and integration of Muslims in the broader South African community that was raised extensively in the debates surrounded the Islamic parties in South Africa.

Furthermore, the lack of support of religious parties, and Islamic parties as part thereof, is not a unique phenomenon in South Africa. Empirical evidence in Norris and Inglehart's study (2004: 201-202) suggests a decline in support for religious parties

during the last half of the twentieth century. This result however, does not rule out the fact that structural factors such as class, gender, and religion remain important factors that influence voting choices (Norris and Inglehart 2004: 199). The case of Ebrahim Rasool, as I illustrated above, is one example to prove that religion still matters. As for the more radical manifestations of political Islam in the post-transition period, Pagad also failed in mobilising significant support over time. Interestingly, those who supported Pagad, attributed their support to the role the organisation played in fighting crime and drugs, rather than to the shared faith.

5 Chapter Five: Religion, Citizenship and National Identity

5.1 Introduction

In Chapters 3 and 4 I discussed how Islam mediated Muslims' actions in the political sphere and how the change in political landscape resulted in the change of discourse surrounding Muslims' political involvement, as well as the emergence of new forms of political engagement. In this chapter, I am going to look at how the South African Muslim community debated issues of citizenship and national identity and how this relates to their religious identities as Muslims. As I have discussed earlier — and in line with many theorists and scholars — identities cannot be examined and understood in vacuum, they rather require a context against which related discourses can be analysed and ultimately understood. In order to contextualize the national identity discourse in the Muslim community two main contexts, or rather case studies have been identified to best reflect these debates. The first case this chapter looks at is the attempts at enacting Muslim Personal Law (MPL). The second case analyses the attitudes towards immigrants in general and Muslim immigrants in particular, as well as the xenophobia that swept the country since the political transition and reached its peak in 2008. This pairing of cases raises the question of how and why such different case studies could highlight the issue of national identity and citizenship, and to what extent religious affiliation could influence Muslims' national identity and citizenship. In both cases Muslims had to negotiate what it means to be a South African and a Muslim in the same time.

The significance of the first case stems from the fact that it deals with the ways in which Muslims relate to the constitution when there is a need to recognise other laws than that of shari'ah— perceived by Muslims to be a superior source of legislation and thus holding higher authority. However, abiding by the constitution as the first point of reference has been long considered a central aspect of citizenship and thus a crucial element in constructing national identity. The attempts to enact the Muslim Personal Law brought to the fore the issue of 'civic citizenship' vs. 'cultural citizenship'. For Muslims, having their own shari'ah-based laws recognised is one of the constitutional rights given to different ethnic and religious groups. However, the debates surrounding MPL revealed several interesting points. First, how different key players in the Muslim

community see the relation between the constitution and the shari'ah and how, should there be a confrontation or a conflict between the two, this would be resolved. The second point is related to the confrontation that emerged between religious bodies and non-religious organisations. It is worth noting here that religious bodies and leaders enjoy hegemony over matters such as the MPL which has always been a traditional 'reserved domain' for religious leaders to exert influence and power. This particular remark is best reflected in a statement issued by Jam'iatul Ulama (KZN) in an undated statement in which the Jam'iat resisted what they call:

Any attempt on the part of the State to involve itself in the exercise of taking sides on matters of religious doctrine or serving as arbiter over religious disputes. No other religious group in South Africa is subjected to such an imposition and Muslims should not be singled out for such a disparate and objectionable treatment. Shariah should remain within the domain of the Ulama and not be subjected to the interpretations of the courts (Jamiatul Ulama KZN: Our view on Muslim Marriages Act and MPL Bill, n.d.).

Nevertheless, there has been increasing engagement from other actors such as Muslim political activists and human rights organisations. The result is a highly contested draft bill that has not found its way to the legislature despite long years of debating and deliberating on the issue. MPL in that sense and context is an ideal case study to investigate and examine the interplay between national and religious identities. The negotiations about MPL thus provides an interesting case study to look at the relation between the constitution and the shari'ah, as well as between the religious establishment and the other secular organisations.

However, the MPL is not the only case to examine this interplay. The second case study is Muslims' attitudes towards immigrants in general and Muslim immigrants in particular. A huge body of literature suggests that there is a strong link between attitudes towards immigrants and national identity. For example, Anna Triandafyllidou (2006: 287) argues that 'Othering' immigrants is functional to the development of national identity. In this process immigrants are looked at as a 'potential threatening other', simply because they pose a challenge to 'in-group' identification with a specific culture, territory or ethnic group. These theoretical assumptions beg lots of question: First, could sharing the same religion as the immigrant other change the dynamics of national identification? Is it possible to develop identities in terms of nation-ness without being xenophobic? How has a religious marker, in this case sharing the Islamic faith, influenced the national identity discourse? In this particular context, I argue that

Muslims have created their own take on the matter. Sharing the same religion with Muslim immigrants yielded a different discourse that has not stressed the differences between South Africans on one hand as opposed to the 'aliens' on the other. On the contrary, the Muslim community discourses have rather stressed the unity of Muslim *Ummah*; this discourse gave more weight to the similarities rather than the differences.

Having citizenship as its focus, this chapter will be divided into two main sections; the first will deal with the MPL while the second will look at attitudes towards immigrants.

5.2 MPL: between civic citizenship and cultural citizenship

Attempts to recognise Muslim Personal Law in any country and in any context is more than anything else a real challenge that face Muslim identity (An-Na'im 2002: 761-762).

Unlike other aspects of shari'ah law, Muslim Family Law successfully resisted displacement by European codes during the colonial period. Not only that, it also survived various degrees or forms of state secularization in many Islamic countries; challenges seem to be much tougher for Muslim minorities in non- Islamic countries. Campaigns by Muslim minorities to have the laws that organise family relations recognised and included in the broader secular legislation are ongoing in many of these countries (Seedat 2000: 2; An-Na'im 2002: xi- xii). For a long time it was believed that the shari'ah in general and Muslim Family law in particular, were the prerogatives of the religious fraternity. Nevertheless, with the advancement of principles of human rights, equality and more specifically gender equality, it became obvious that this was no longer the case. Many aspects of the Muslim Personal Law which were perceived to contradict the above principles led to a greater involvement of other secular actors, which in turn generated new debates closely related to Muslims' identities (An-Na'im 2002: xi- xii).

In this section, I will deal with the different attempts to have Muslim Personal Law incorporated into the broader corpus of South African laws. In doing so, I will highlight the emergence of a new group of actors who came to challenge religious bodies' hegemony over this particular issue, and how they brought along in their discourse a whole new set of arguments that had never been part of the debate before. Specifically, I will contrast the different discourses employed by two groups of actors; namely, the 'Ulama groupings and other non- religious organisations and individuals. I

argue that although each of the two groups has their own arguments and demands that stand at odds with the other group's arguments, both of them have the South African constitution and its principles as a starting point on which to build their arguments.

5.2.1 MPL: the constitutional underpinning

As a result of the incorporation of the Bill of Rights in both the interim and final constitution, family law is one area that has witnessed an increasing expansion in South Africa, whether it is based on religion such as the Muslim personal law, or customary law. No matter where they are derived from, family laws are full of rules that could be perceived as 'overtly discriminatory on the bases of sex, gender, culture, religion and sexual orientation' (Bonhuys 2002: 748). The South African constitution guarantees freedom of religion, belief and opinion. Section 15, article (3) (a) stipulates that the constitution does not prevent legislation recognising: (i) 'marriages concluded under any tradition, or a system of religious, personal or family law'; or (ii) 'systems of personal and family law under any tradition, or adhered to by persons professing a particular religion'. The same section, however, states that such recognition must be consistent with the constitution. In a similar fashion, Section 31 of the Bill guarantees certain rights but also imposes some limitations. It mandates that 'persons belonging to a cultural, religious or linguistic community may not be denied the right, with other members of that community (a) to enjoy their culture, practice their religion and use their language'. However, some internal limitation in the very same section states clearly that these rights, mentioned in the aforementioned subsection, may not be exercised in a manner inconsistent with any provision of the Bill of Rights.

These constitutional provisions, indeed, have opened up a window for Muslims to have their lives, in matters like marriage, divorce, maintenance, paternity and custody of children, governed by certain aspects of the shari'ah - commonly known as Islamic Personal Law.¹ However, the centrality of equality as a core principle in the constitution hindered this opportunity, given the fact that some aspects of MPL could be challenged because of equality clauses.

¹ Islamic /Muslim Personal Law and Islamic/Muslim Family Law will be used interchangeably in this chapter.

Section 9 of the bill of rights is fully dedicated to equality as a core value. According to the provisions of this section, everyone is equal before the law and has the right to equal protection and benefit of the law. It is also stipulated that the state and the individuals may not unfairly discriminate directly or indirectly against anyone on the grounds of race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language or birth. Moreover, the constitution is not the only legislation that stresses on equality as a centre principle. Other legislation includes, for example, the Promotion of Equality and Prevention of Unfair Discrimination Act. Chapter 2, Section (8) of this Act outlaws ‘any practice including traditional customary or religious practice which impairs the dignity of women and undermines equality between women and men’ (Manjoo 2007: 16).

It is against this constitutional and legislative backdrop that one should understand the debate that surrounded the introduction of the Muslim Personal Law in South Africa. The new political and constitutional dispensation offered an opportunity to the Muslim community towards the recognition of Muslim marriages. At the same time, it imposed a big challenge with fears that the shari‘ah would be undermined by the constitution, which would be given the final say in the event of any contradiction or conflict between the proposed bill and the provisions of the constitution. The challenge was coming mainly from the provisions of gender equality. This particular issue of gender equality and women’s rights has been one of the most debated issues between the progressive and conservative trends within the Muslim community, as will be shown in details in the subsequent sections.

Suffice to mention here two examples of potential conflict between the proposed MPL and the constitution. The first example is related to divorce clauses which are considered to be a typical example of breaching equality rights. The current practice gives more rights in this regard to men than women; for example it is easy for a man to obtain divorce- because he has the right to a unilateral repudiation without providing any reason or needing any one’s permission. The woman on the other hand must obtain the permission of the ‘Ulama to obtain a Faskh (termination of marriage) if her husband refused to divorce her. It is thought by some Muslim activists that both men and women should have equal access to divorce in order to pass the equality test.

The second example is related to same sex marriages which according to shari'ah is *haram*, but refusing to perform it to Muslim 'homosexual' couple would be considered unconstitutional because it would be considered discrimination based on religion:

According to shari'ah homosexuality is haram, right? It is not permissible. However, say for instance that a Muslim 'alim would refuse to perform Nikah for two so called homosexuals, and let us not deny that this exists because it exists you'll find muslims who are homosexuals and they want to get married and the 'alim denies that. They can take that 'alim to court. According to the South African constitution this comes under equality and so according to the court we are not upholding equality rights, so the court will rule that they can get married. So shar'iah is gonna be put down and constitution is gonna be put up (Interview with Quraysha Yussuf, 24 August 2010)

5.2.2 MPL: key milestones

Unlike the customary marriages that are recognised by Act 120 of 1998, Muslim marriages are not recognised as legally valid. In the case of divorce or termination of marriage, there are negative consequences for Muslim families, particularly wives and children who face problems regarding, for example, equitable distribution of marital property, inheritance, maintenance and custody. Taking the matter to the court has not always resulted in rulings in favour of Muslim wives; in most cases the court based its ruling on the fact that Muslim marriages — even de facto monogamous ones — are potentially polygamous marriages which render them invalid on the ground of public policy. This narrow focus on the marriage contract led to harsh criticism of some of the legal rulings which resulted in the exclusion of the 'polygamous and other family groups from the ambit of legal protection and retains the traditional common law bias in favour of monogamous family groups' (Bonthuys 2002: 761-763). In some other cases, however, Muslims received favourable rulings. In 1997, the Cape High Court in *Ryland vs. Edros* recognised that the contractual obligations entered into by parties married solely according to Islamic rites could not be ignored. This has since been considered a precedent in the recognition of Muslim marriages. JU addressed the implications of such court rulings, arguing that although some of these rulings could be in favour of Muslims, there are concerns that they would develop in a set of laws that would apply to Muslims without being able to have a say on it. JU explained:

The reality is that a set of laws relevant to Muslims will come into place. This set of laws can come into place through a Muslim Personal law or Bill or Muslim marriages Bill and the like or it can evolve on its own through precedents set in court. The question is which would be the preferred manner (JU newsletter, vol.4, no.28, 22 July 2009)

The attempts to introduce Muslim Personal Law (MPL) in South Africa dated back to the mid 1980s, when the South African Law Commission called for proposals for MPL. This was discussed in the circle of some clerical bodies as well as the Association of Muslim Attorneys and Lawyers. These efforts, however, did not attract much endorsement from the broader Muslim community, especially the more progressive Muslim groups such as the MYM and the Call who perceived any support to the proposed legislation as a recognition of the apartheid regime based on the fact that the initiative had come from the tri-cameral parliament and thus was conceived as an attempt to co-opt Muslims and hinder their role in the struggle. Pressure from these organisations forced religious bodies to withdraw from the commission (Esack 1996: 242). The political transition in 1994 brought the issue of Muslim marriages and MPL again to the forefront of Muslims' demands to the new government. Just after the transition, in August 1994, a number of Muslim ANC MPs inaugurated a MPL Board in order to put forward proposals about the introduction of MPL. Several organisations contributed to the establishment of that Board, amongst which were: the Muslim Judicial Council (MJC), Islamic Council of South Africa (ICSA), Jami'atul 'Ulama Transvaal, Jami'atul 'Ulama KZN, the MYM and the Call of Islam, in addition to some individuals. Although the Board was perceived by commentators to be as inclusive as possible, it did not live long. Shortly afterwards frictions emerged between the member organisations regarding whether the MPL should have precedence over the constitution (the view of conservative 'Ulama groups) or the other way around (the view of the more progressive organisations such as the MYM and Call) (Esack 1996: 243; Mathee 2008: 259).

The dominance of religious bodies over the Board was evident when the secretary general of the MPL Board, without authorization, made two submissions to the constitutional assembly on behalf of the Board, the first submission called for the establishment of shari'ah court and for five clerical organisations to have the authority to decide on the dissolution of Muslim marriages. This suggestion was rejected by progressive Muslims who feared that judges for these courts would only be drawn from the ranks of the current religious bodies with the inevitable result of marginalising any progressive voice and perpetuating the clergy's dominance on the whole issue (Shabodien 1995: 19). The second and most contentious submission was that MPL be

exempted from constitutional challenge and the bill of rights, a view that was not completely endorsed by all the member organisations. The end of the short lived Board came when the president and the secretary general, unitarily dissolved the board in a step described by some analysts as a sign of “cowardice and inability of the alleged ‘*Ulama* groups to deal with the problems faced by SA Muslims” (Esack 1996: 244)

At this early stage, Muslim activists came to challenge the ‘Ulama. The former group drew parallels between being Muslims and South Africans at the same time, between the democratization that the country has witnessed and the importance of taking this democratization to the religious institutions. They criticised keeping the debates on MPL within the circles of clergy.

One example of the heated debate is reflected in the letters exchanged between the United ‘Ulama Council of South Africa (UUCSA) and the late Shamima Shaikh – a Muslim activist in the Muslim Youth Movement- after a radio interview with the latter in July 1995, during which she criticised the proposed bill suggested by the clergy-dominated Board that supported — *inter alia* — the unilateral and extra- judicial divorce on the part of the husband, she argued that this type of divorce has no basis in Islam. In their response to the interview, the UUCSA asked Shamima to retract her statement in writing within five days; otherwise the Council would publish a ‘public rebuttal’ of her views. The ‘Ulama body backed their argument with Qurānic verses to argue that the unilateral divorce has basis in Qur’ān and therefore can not be reformed. They considered Shamima’s views on the matter a ‘gross misrepresentation brings Islam and Muslims into dispute’ (Shaikh 1995). Shamima had chosen to reply after the five-day ‘grace period’. Furthermore, she harshly criticised this restrictive demand as being discourteous. The date of her reply coincided with the birthday of Prophet Mohammed, which happened to coincide with the National Women’s day. Shamima drew a parallel between the commitment to ‘remove all forms of discrimination’ especially that based on gender on one hand, and affirming the message of the Prophet — on the other hand— who came as a mercy unto mankind. She criticised Muslim clerics for excluding Muslims from the discussions related to MPL arguing that MPL is not ‘a private issue’ neither is it ‘the domain of the clergy class’. She also challenged the perception that ‘Ulama bodies ‘are *the* authorities of Islam in South Africa’ (Shaikh 1995). As for the Qurānic evidence provided by the ‘Ulama, Shamima argued that they selectively chose

versus, and ignoring others that provide a counter argument. Finally Shamima emphasized that what exists in the community of practices ‘needs to be reformed to bring it on par with the Islamic principles of Justice, equality and freedom’ (Shaikh 1995). Although Shamima welcomed further discussion on the matter, the UUCSA decided to end the debate.

In a response to the failure of the Board, the Islamic Unity Convention (IUC) — which refrained from participating in the aforementioned Board — established its own commission of inquiry, with the aim of getting rank and file Muslims involved directly in debating the proposals and assessing their own needs. This step was seen as ‘a community-based approach to circumvent the cleric-dominated process and to create structures that would interact with the state, and to shift the centre of the discussion from the clergy to the Muslim community’ (Mattes 1999: 259). However, there is very little evidence to prove that influence of religious bodies was really ‘circumscribed’.

In 1999, the South African Law Reform Commission (SALRC) established a project committee under the name *project 59- Islamic Marriages and related matters* in order to draft legislation to recognize Muslim marriages. In late 2000 the project committee published a discussion paper 101 which was circulated for public comment. The committee asked those who were interested to respond to the discussion paper and to the draft bill to submit their inputs by the end of April 2002 (VOC 17/4/2009). The four year long consultative process resulted in numerous written and oral submissions from progressive Muslim organisations, secular human rights organisations, ‘Ulama bodies and individuals from within the Muslim community (SALRC 2003)

In a bid to even engage more Muslims into the process a number of workshops were conducted nationally - in Cape Town, Durban, and Pretoria- which gave another opportunity to individuals as well as groups representing women and also ‘Ulama bodies to make further oral and written representations. Finally the project committee drafted a legislation entitled Muslim Marriages Bill (MMB) (SALRC 2003). In July 2003, the SALRC submitted a report to the minister of Justice and Constitutional Development along with a draft MMB (Manjoo 2007: 4). The proposed draft bill stipulated that it aims ‘to make provision for the recognition of a valid Muslim marriage; to regulate the registration of Muslims marriages; to recognise the status and capacity of spouses in Muslim marriages; to regulate the proprietary consequences of Muslim marriages; to

regulate the termination of Muslim marriages and the consequences thereof; to provide for the making of regulations; and to provide for matters connected therewith'. Although the Bill includes detailed provisions recognising Muslims marriages as valid and regulating their consequences, the progress again have stalled due to the controversy amongst the concerned parties.

As a result of this stalemate, the Women's Legal Centre Trust (WLCT) put forward an application before the Constitutional Court against the President of the Republic of South Africa, the minister for Justice and Constitutional Development, the minister for home affairs, speaker of the national assembly and the chairperson of the national council of provinces (as respondents). In their application, the WCLT sought an order declaring that the president and parliament have failed to fulfil obligations imposed on them by the constitution, and thus asked the Court to direct the government to enact legislation that will recognise Muslim marriages within eighteen months. The respondents, however, asked the application should be dismissed because it sought 'the compression of a complex and necessary process of public debate, government reflection, and legislative enactment'. The application was dismissed by the court in July 2009 (Case CCT 12/09, 2009).

5.2.3 MPL: key players and the major debates

In the previous section I highlighted the main milestones regarding the progress of negotiating MPL. In this section I will focus on the debates that surrounded the proposed legislation, the different parties that were involved and the arguments they put forward. As truly argued by An-Na'im (2002: xiii), Islamic Family Laws became a contested ground between who he labelled 'conservative and fundamentalist forces' and 'modernist and liberal trends'. It seems that the South African case is no exception; the submissions and comments on the proposed bill also revealed that the attempts to introduce the MPL in South Africa evoked the same debates as it did wherever MPL was introduced, applied or practiced.

Since the introduction of the proposed bill, the SALRC has published a number of reports documenting the comments and feedback generated by the Muslim community. These reports show how the proposed draft bill has evoked a considerable public response from the Muslim community not only from religious organisations but

also from mere individuals. This in itself reflects a high level of engagement from the broader community. More significantly, however, was the engagement of organisations that are not necessarily Muslim ones. Following the publication of discussion paper (101), the SALRC received a total of eighty-four written submissions, in addition to another twenty-nine submissions that were received after the ‘cut-off’ date of 10 April 2002 (SALRC 2003: 3). The respondents to the discussion paper 101 included organisations from all walks of life; ‘ulama bodies, mosques and congregations, Islamic research centres and institutions, *madrasas*, Muslim NGOs, advocacy groups which are not necessarily faith based, in addition to individuals who submitted comments in their own capacities (SALRC 2003: 1-5)

The most criticizing voice came from Majlisul ‘Ulama, who criticised the Project Committee fiercely, describing the draft bill as ‘cluttered with un-Islamic and anti-Islamic proposals which the Project committee prays would become a law to be shoved down the throats of Muslims’ (Al-Majlis, vol.15, no.2). Majlisul ‘Ulama maintained the view that the constitution albeit ‘secular and *Baatil*’ safeguards Muslims’ religious rights to a large degree. Whereas, the proposals of the project committee and ‘its new shari‘ah denies our shar‘i rights’. Almajlis continued: ‘this freedom which the secular constitution allows Muslims will be eroded and cancelled if ever the stupid draft bill of the Project committee becomes law. Muslims should therefore be diligent under garb of the Shari‘ah’ (Al Majlis, Vol. 15, no. 2). As opposed to Majlisul ‘Ulama who categorically refused the draft bill, other ‘Ulama groupings preferred to work within the suggested framework. For example Mufti Abdul Kader Hoosain of MJC adopted a more realistic approach arguing that:

When we live in countries like South Africa, then the greatest law as far as the law of the land goes, is the constitution and what is stated in the Constitutional Court. So any law you are going to draft, you might get some Muslim or non-Muslim challenging it, saying that it is against the constitution (VOC 27/3/2009)

Nevertheless, ‘ulama were determined to dominate the negotiation processes from the onset and let their voices heard. In fact throughout the process they have been heavily consulted, and their points of views on the draft bill were considered comparing to other secular parties. That explained why the amended draft bill came to reflect the views of the ‘Ulama and religious establishment rather than the other various organisations that also took part in the negotiations. One explanation to why ‘ulama

groupings want to maintain their domination over the negotiation process was offered to me by one of my respondents who referred to the islamic courts wich will be an integrated part of the proposed bill:

In my opinion it is all about power and it is also about employment because there is lots of daru 'ulaums (religious high education institutes), turning a lot of –in my opinion unqualified scholars – they need to put them somewhere, and they can not put them all in *Masajjid* so where do they put the people gradulated from the darul 'ulums with out any other qualifications. We need to creat a new job opportunities, where the older 'Alims will go to the judicial posts in courts making way to younger generations of graduates to be *Imams*, run madrassas , they creat opportunities for themselves (Inetrview with Quraysha Yussuf, 24 August 2010)

Having said that, however, did not rule out the fact that the 'ulama's hegemony over the entire process faced some challenges. The first came from outside the religious establishment and mainly from organisations such as the MYM, the Call and Women's organisations. While the second came from other 'ulama organisations who did not necessarily adopt the same standing of the mainstream 'ulama groupings. All of these groups fiercely resisted the 'ulama's claim to monopolize family law matters (Moosa 1998)

Based on the submissions made before SALRC, It is obvious that the religious bodies' contributions to the debates focused on the religious-related and shari'ah-related aspects; mainly how to ensure that the prospectus act will conform to the shari'ah and how to maximize the role of 'Ulama in future arrangements regarding implementing the law. On the other hand other non-religious institutions and organisations which responded to the proposed bill were more concerned with aspects of gender equality and how the prospectus bill will conform to the Constitution. This difference in priorities debate is thus central to the interplay between the national and the religious identities of Muslims.

Ideally, from the clerics' point of view, a complete conformation to shari'ah would necessarily mean that any prospectus law be excluded from the bill of rights, in order to avoid any contradictions with the constitution. In the early debates, Muslim clerics supported the demands put by the Congress of Traditional leaders (Contralesa) that customary law be excluded from the bill of rights. Contralesa argued that 'communities subject to customary law and traditional authority should remain exclusively subject to such authority' (Esack 1996: 243). This point of view faced harsh criticism from the progressive Muslims throughout the country as it was their

contention that there is no conflict between Muslim personal law and the constitution, provided the 'approach to both was sensible'(Moosa 1998: 2). To mention but one example, Shamima Shaikh of the MYM, argued that customary or religious law 'can not be exempted from the bill of rights and be allowed to perpetuate inequalities. To even consider excluding any sector of society from being covered by the bill of rights is an injustice and makes a mockery of the bill' (Esack 1996: 243). In the same vein, Farid Esack of the call argued against the elevation of any cultural or religious community and its traditions over that of another by exempting their laws from the bill of rights, to quote his exact words: 'should the state advantage one group over another, including religious over non-religious, then it would violate the ethos of justice which brought it into being' (Esack 1996: 244-245). It seems that the 'Ulama bodies started to realise that excluding the MPL from the bill of rights is just 'impossible'. A more realistic stance was then adopted by admitting that 100% compliance with shari'ah is just simply not realistic.

Non- religious organisations also took part in the debate. The joint submission by the Gender Unit & General Practice Unit (Legal Aid Clinic), Shura Yabafazi, the National Association of Democratic Lawyers (NADEL) and NADEL Human Rights Research and Advocacy Project is one such example.² In their joint submission, this group of organisations made it clear that the focal point of concern for them is achieving sex and gender equality. The submission also stressed that in order to achieve this equality any prospective legislation should take into consideration the possible impact that this legislation would have on the lives of the people who will be affected by it. In order to achieve this understanding the organisations 'have attempted to bring the real concerns of women living in Muslim communities in South Africa to the attention of the Law commission' (Manjoo 2007: 5). These organisations held the opinion that the mere recognition of the Muslim marriages would not redress the negative consequences suffered by Muslim women as a result of the current state of affairs. According to them,

²These organisations are active in the field of gender equality and women's rights. The primary focus for the gender unit is promoting gender and socio-economic rights. NADEL, on the other hand, aims at protecting and enhancing human rights culture including the promotion of women's rights. Both organisations work with all communities and not exclusively with Muslims. Only Shura committed to promoting substantive gender equality for Muslim women and to the transformation of the legal and social environment surrounding Islamic marriages.

‘the proposed legislation must therefore provide for gender-sensitive provisions that will address and redress the inequalities suffered by Muslim women not only as a result of non-recognition, but also because of discriminatory practices that have become entrenched in Muslim communities’ (Manjoo 2007: 5).

The South African Commission for Gender Equality (CGE) was also one of these non-Muslim, or rather secular, organisations that took part in the debate as part of its mandate which included inter-alia, evaluating laws proposed by parliament which were likely to affect gender equality or the status of women. The CGE made a submission commenting on the issue paper (15) on Islamic marriages and related matters. Again the relation between the proposed Muslim Personal Law and the constitution was highlighted in the submission which made it clear that any attempt to enact a Muslim personal law need not be ‘fundamentally divergent from existing South African law and the country’s constitutional obligation’ (Seedat 2000: 1).

In October 2005, the parliamentary office the CGE drafted an alternative draft bill called the Recognition of Religious Marriages Bill (RRMB). The reasons behind drafting such a bill was to address the concerns relating to both the constitutionality issues generally and women’s right to equality in particular. The RRMB is secular in its nature, in addition it is general in its application because it provides for the recognition of all religious marriages and not only Muslim ones, and complies with the international and constitutional imperatives. Although this draft was supposed to be subjected to public consultations that did not happen (Manjoo 2007-5). In the same vein, the Call of Islam adopted a similar stance; their comments on the draft bill were very consistent with its stance on women’s rights in Islam. Since its inception the Call ‘has been committed to a radical challenging of the position of women in Islam and has consistently focused on the specificity of women’s oppression and patriarchal relations within the family and society’. Suffice it to mention that the very first item the Call published was a brochure about women which was a critique of the traditionalist interpretation of the role of women in Islam. In addition, one of the Call’s publications came out under the title ‘Women Arise! The Qur’an liberates you!’. According to Farid Esack, the Call of Islam has always dealt with the gender issue independently of the political demands of the liberation movement (Esack 1996: 240-241).

Another issue that was raised by non-religious organisations was the representation of different *Madhhabs* i.e. schools of jurisdiction. As a result of the Shafi and Hanafi Madhabs being the most dominant in South Africa, followed by Malay and Indian Muslims respectively, only views from aforementioned schools were reflected in the draft bill, which raises questions about the voices of other traditions within the Muslim Faith such as the shi'a, Maliki and Hanbali schools of jurisdiction, which were by and large absent. In her study, Rashida Manjoo (2007: 9) argues that the draft bill could be criticised for not giving equal representations to different schools of jurisdiction or different schools of interpretation. Questions of which interpretation would dominate the bill, and what consequences this would have are of paramount importance here. Discussions and deliberations on Muslim Personal Law also revealed the deep differences between the religious bodies in Western Cape on one hand, and in Gauteng and KZN on the other. The conservatism of the 'ulama bodies in the latter provinces seemed to impact upon the community's involvement in the whole processes. Furthermore, women's organisations in Western Cape were more active and played a role in the lobby to recognise their marriages. In the North, the debate was described to 'be slow to take off' (VOC 1/4/2009).

Another example of such conservatism is the opposition to the Women's Legal Centre Trust (WLCT) application (mentioned above). First, the Islamic Unity Convention (IUC) opposed the application. Subsequently, a group of 32 Muslim organisations³ — mostly from Gauteng and KZN— including some women's organizations and a number of religious 'ulama bodies like KZN Jam'iatul 'Ulama, and Jam'iatul 'Ulama SA came together to denounce the application. According to the attorney who lodged the organisations' application, 'the constitution, the laws on Muslim marriages and the Muslim Personal Law are irreconcilable'. According to him, a law facilitating Muslim marriages can be done only if the constitution is amended to include a section providing that all laws enacted to facilitate Muslim marriages must be done according to the Qur'an, rather than the constitution. The organisations mentioned were said to have 'no problem with the WLCT fighting for any bill they like,

³ For some, these organisations are hardly heard of, it was even a revelation to some people to know that this number of Muslim organisations are active in Gauteng.

provided it is not named the Muslim Marriage Act, because this bill will not be Islamic.’ (VOC 27/3/2009). The influence of the ‘ulama bodies are believed to be the force behind lodging this counter application. Shamiela Garnie, president of Women United in Islam of South Africa, claimed that many of the women’s organisations that appeared in this application were controlled from ‘another level’ and that these organisations were told which issues they could speak on because they were ‘not capable’ of making decisions which reflected a ‘patriarchal system’ (VOC 1/4/2009).

In conclusion, I would like to highlight the following remarks:

First: Although the ‘ulama bodies enjoyed dominance over the process of bill drafting, the draft bill in its most recent form is considered to be a compromise between the progressive and conservative expectations. One example in this regard is the recognition of polygyny. Whereas conservatives insisted that polygyny be recognised in an unregulated manner- based on the fact that polygyny is recognised in African customary marriages- progressives on the other hand wanted it to be abolished. The draft bill adopted a halfway house stance in which it recommends that polygyny be recognised in a regulated form by which a husband is required to obtain court approval for a subsequent marriage and this sanction is dependent on him being able to financially provide for all his wives. Another example is that instead of the implementation of Shar‘iah courts, the MMB recommends that the interpretation of Islamic law be undertaken by mostly Muslim judges from within the secular judiciary.

Second: The participation of non-Muslim organisations and state-related institutions in the drafting process shows that the Muslim community will no longer be able to work in isolation, even in the matters like Muslim Personal Law. Consequently, shaping Muslims’ attitudes and opinions about different matters are no longer a prerogative to ‘Ulama fraternity.

Third: As far as Muslim women’s involvement in negotiating the draft bill it became evident during my interviews that a few of my female respondents were not aware of the debates about the MPL, nor sure about the outcome of all discussions. Quraysha Yussuf expressed a strong opposing stance to the bill (Interview with Quraysha Yussuf, 24 August 2010), while other female respondents did not have as much a strong opinion either with or against the proposed bill (notes from the field). Their silence reflected in itself a lack of active engagement in the negotiation processes.

This is also attributed to the role played by ‘Ulama and Maulana. Quraysha Yussuf — who is running marriage workshops to educate Muslim women about their rights in marriage and correct some of the wrong perceptions regarding these rights— argued that ‘too many of the Muslim women are not educated. They choose not to be educated, and if they want to know anything they pick up the phone and ask Maulana, Mufti or khaikh: ‘what is your opinion?’ or send an e-mail to Musfi and ask him. It is easier to take the opinion from maulana than think bout it’ (Interview with Quraysha Yussuf 24 August 2010). Moreover, Shamiela Garnie of Women United in Islam SA noted that leading women’s organisations in the province who had been working in the community for years had not be consulted on the bill (VOC 1/4/2009).

5.3 Immigrants, xenophobia and national identity: A view from the Muslim community

Immigration and movement of people across borders has become a common feature of the modern world. A fair amount of literature has suggested that there is a strong link between attitudes towards immigrants as outsiders on one hand and garnering a strong sense of nationhood on the other (Berzin 2006; Triandafyllidou 2006). This link has proved to be of particular relevance in the South African context where the issue of national identity features extensively in almost all accounts regarding immigration and immigrants; politicians, media, government officials as well as ordinary citizens draw the dividing line between who is properly ‘South African’ by identifying who ‘is not’, or in other words between insiders and outsiders i.e. redefining the principles of citizenship (Croucher 1998: 639; Klotz 2000: 832- 835). Although the ways in which these boundaries are drawn could be peaceful, it could sometimes be achieved through xenophobia and other forms of intolerance (Nyamnjoh 2006: 1).

In this case study I argue that the shared faith has contributed to a different discourse within the Muslim community regarding Muslim immigrants. Different Muslim religious groups, individuals and Muslim Media defended the cause of Muslim immigrants and offered them support. As opposed to the mainstream discourse that highlighted the negative sides of immigration and immigrants, Muslim immigrants were portrayed as a success story. This support of Muslim immigrants begs some questions regarding which identity enjoyed priority in this particular context, especially amid

reactions from some elements of the local community asking whether this support should be better directed to the needs of locals. This by no means suggests that immigrants did not pose challenges to the local Muslim community. The latter, on the contrary, was faced with challenges albeit of different type; not least amongst them the different practices and madhaheb followed by the newcomers, in addition to an increasing concern of radical trends which were strongly associated with the Somali community, which added pressure to what already existed in the community regarding the same issue of radicalism.

5.3.1 Immigration and xenophobia: the South African context

The actual numbers of immigrants, both legal and illegal, in South Africa is a highly contested issue; although the 2001 census estimated foreign nationals to be less than one million, other estimations put the numbers as anything between 2.1 million and 4.1 million (Solomon 2005: 91). However, the most controversial estimation was given by the think tank Human Science Research Centre (HSRC) which claimed there were between five and eight million 'illegal aliens' in South Africa. Although this particular study was harshly criticized by academics who questioned its methodology, politicians continuously quoted these over-estimated numbers as facts (Crush 2008: 44). Thus, needless to say that any of the available statistics are neither accurate nor reliable. The lack of reliability is attributed to the widely perceived tendency on the part of government officials to inflate the numbers drastically for political reasons which is beyond the focus of this section (Nyamnjoh 2006: 30, 36-37). This lack of reliable statistics opened the door wide for exaggeration on an unfounded basis. In addition to the over estimation, immigrants were often portrayed in a very negative image. It became common place to associate foreigners with certain negative stereotypes. In other words, immigrants were perceived to be the source of all ills in society; they steal job opportunities from the locals, engage in criminal activities such as smuggling of arms and drugs, depress wages as they accept lower wages compared to their South African counterparts, compete for limited resources, they are even responsible for the spread of HIV/AIDS (Danso and McDonald 2001: 124; Nyamnjoh 2006: 37,41-42; Kaarsholm 2006-2007: 39-40). These negative perceptions were often accentuated because of the increasing sense of disappointment felt by thousands of South Africans who did not achieve the promised prosperity and who did not gain the expected and long awaited

fruits of the transition. As a result, foreigners became the scapegoats to be blamed for all the problems faced by South Africans.

There is a consensus in the literature dealing with immigration and xenophobia in South Africa that politicians contributed to a great extent in instilling these negative sentiments into their constituencies. In their statements, politicians tended to blame the *Makwerekwere* (a derogatory name for foreigners) for all the ills in the society and should therefore be kept out of South Africa (Solomon 2005: 93; Neocosmos 2006: 2; Nyamnjoh 2006: 48). For example, Inkatha Freedom Party's leader, Buthelezi—who was also the Home Affairs minister—went as far as encouraging citizens 'to aid the department and the South African Police Services in the detection, prosecution and removal of illegal aliens from the country', emphasizing that the cooperation of the community is required in the proper execution of the department's functions (Crush 2008:17). On another occasion, Defence Minister Joe Modis stated '... we have one million illegal immigrants in our country who commit crimes'. In 1997, President Mandela referred to the 'threats posed by illegal immigrants, gun running and drug smuggling' (Crush 2008: 17). The media was no exception, as they followed on the same anti-immigrant sentiment uncritically. It is against this backdrop that South Africa witnessed the outbreak of xenophobic attacks which reached its peak in 2008 although its roots and indicators were evident a long time before that. The first was not long after the political transformation, when in 1994 several attacks on foreign nationals were reported. These attacks ranged from looting, beating, threatening, burning properties, to 'necklacing' and killing (Crush 2008: 11). In May 2008 tens of thousands of migrants were displaced in different communities around South Africa. According to official sources, 342 shops were looted, 143 shacks burnt, 30,000 people displaced (25,000 of those were in Gauteng), 65 people murdered (of which 21 were South African citizens), thousands injured and 1,384 suspects arrested (Coplan 2009: 367-368).

The outbreak of xenophobic attacks informed a number of survey studies that aimed at measuring and studying South African attitudes towards immigrants. Several studies show that anti-immigrant sentiments have increasingly become a strong and a widespread phenomenon in South Africa that 'cuts across virtually every socioeconomic and demographic group'. According to two surveys conducted by the Southern African Migration Project (SAMP) in 1997 and 1999, only six and two percent respectively were

tolerant of immigration of any kind and thought that the government should 'let anyone in who wants to enter'. On the other hand, 75 percent of the surveyed people believed that Black African foreigners were associated with all sorts of ills (Nyamnjoh 2006:36). The surveys, however, stopped short of identifying a 'typical profile' of a xenophobic person. According to the survey, these negative attitudes seemed to be held irrespective of race, gender, education, socio-economic status or any other variable. In 2006 SAMP conducted another survey which gave a more detailed picture of the phenomenon. SAMP 2006 survey revealed that levels of xenophobia were still high in general. However, there were differences between race groups. Coloured respondents had the highest levels of xenophobia, followed by Whites, Blacks and lastly Indians who were the least xenophobic. Afrikaans speakers were more xenophobic than other language speakers. Xenophobic scores were the highest in the lowest income categories and generally declined with increasing income. That meant that there was a strong correlation between xenophobia and income. Also, xenophobic attitudes appeared to be more prevalent among those with less education. The survey showed that unemployed and those who were looking for work displayed slightly higher levels of xenophobia than the employed (Crush 2008: 5). Furthermore, the respondents were asked if they were willing to take any action to prevent foreign nationals from living in their communities, from moving into their neighbourhood, operating a business in the area, being in the same classroom as their children. The answers showed that respondents were likely or very likely to take action. As for what this action could be, the survey showed that the range of actions could include, inter alia, snitching to the police, engaging in community associations and forcing foreign nationals to leave. Furthermore, nine percent said that they would use force to achieve that (Crush 2008: 6).

5.3.2 Immigration and xenophobia: Muslims' discourse

The previous section showed the general context in which the issue of immigrants and xenophobia has been dealt with. This section turns its focus to the specific discourse produced by the Muslim community in order to see the extent to which their faith mediated the way they dealt with immigrants in general and xenophobia in particular.

As is the case with the general immigration statistics, there are no exact statistics to show the number of Muslim immigrants in South Africa or their countries of origin. Based on data available from Jam‘iatul ‘Ulama, however, it is believed that South Africa is now a home to around 75,000 Muslims from Arab countries, 2,000 from Ethiopia and 10,000 from Uganda. The Somalis are probably the largest Muslim immigrant group from one single country, estimated to be between 30,000 and 35,000, according to the Somali Community Board of South Africa (SCOB). In 2008 only, over 8,000 Somalis were given asylum in the country (SCOB, March 2009). This comparatively high number made the Somali community rather ‘visible’ and more likely to be targeted by xenophobic attackers.

Based on the number of different statements and sermons produced by the main religious bodies on the issue, it became clear that there were attempts to draw a positive picture of the Muslim immigrant population. This picture challenged to a great extent, the rather negative perceptions — which I have pointed to earlier. An example to illustrate this point is an article in JU newsletter which celebrates the achievements of the Somali community which:

...has taken long and remarkable strides since their arrival in South Africa as a refugee community. They have acquired property which has been turned into masjid as well as *madrusa* (JU newsletter, 3 February 2010)

The same view was aired by the MJC president, Igsaan Hendricks, after five Somalis were killed in July 2006.

They (the Somalis) have proven themselves willing to integrate, are economically very active and we have great admiration for their efforts to be self-sustaining. In that they are a model for us and show that refugees are prepared to work hard (VOC 23/8/2006)

In the same statement, the positive input of Somali immigrants and their contribution was highlighted as the MJC president added:

Somalis were attempting to integrate into the South African community, and moreover, were offering services to locals, and as such should be welcomed into the city and country (VOC 25/8/2006).

Not only the Somali community was praised, Muslim immigrants in general were commended for their ‘remarkable level of organisation... in areas of Islamic education and development of own infrastructure’ (JU newsletter, 3 February 2010). In the same vein, an article entitled ‘African Tapestry: Joburg’s melting pot’, JU provided a starkly contradictory picture to Phaswane Mpe’s novel *Welcome To Our Hillbrow*. Whereas

Hillbrow in the latter is described as a place full of crime, poverty and sex workers and a place for all the ills, the JU account of the Muslim community in the same area of Hillbrow — Johannesburg was completely different; Hillbrow and nearby Berea were seen as:

A remarkable melting pots in the heart of South Africa, the variation of the community was best described as ‘an *Imam* from Mali, a *Madrasa* teacher from Burundi and a muezzin from Tanzania...[the falah mosque in the area] has representative of almost each and every country in sub-saharan Africa and the tapestry of culture on the street is amazing’ (JU newsletter, 17 March 2010)

These positive perceptions of Muslim immigrants were also shared by my interviewees, for example Rehana Moosajee asserted that

Immigrant Muslims in post 1994 came and brought a new image of Islam, exciting and encouraging, and we need to find where is the united Muslim identity. (Interview with Rehana Moosajee, 22 January 2009).

As for the Xenophobia that South Africa witnessed, Jam‘iatul ‘Ulama prepared a special Jumma Bayan (Friday Sermon) on 15th of May to mark one year of xenophobic attacks. The sermon built on the Islamic injunctions which called for the unity of mankind and prohibit any discrimination based on race, colour, religion, or gender. The sermon opened with the following Qur’ānic verse:

O You who believe! Indeed We have created you from a single male and female and We have made you into nations and tribes so that you know each other Verily the noblest among you in the sight of Allah is the one who is most deeply conscious of Him. Behold Allah is all knowing all aware. (Qur’ān 49:13)

The same sermon also drew on the sunnah of Prophet Mohammed (PBUH). A *hadīth* of Prophet Mohammed which prohibits Muslims from discriminating against other Muslims was also mentioned to confirm the same meaning:

He is not of us who advocates the cause of racial discrimination, he is not of us who fights in the cause of racial discrimination, and he is not of us who dies in the cause of racial discrimination (Jam‘iatul ‘Ulama Jumma Bayan, 15 May 2009)

In the same vein religious leaders sought guidance from the experience of the Prophet himself and his followers who migrated from Makka to Madinah in the early times of Islam. On more than one occasion similarities were drawn between the Prophet and his followers on one side and the Muslim immigrants who were forced for several reasons to flee their countries. The manner in which the people of Madinah

accepted Prophet Mohammed and his followers was referred to as an example of how South African Muslims should embrace Muslim immigrants:

...when the prophet (PBUH) came to Madinah⁴ among the first thing he did was to establish a brotherhood between the Muhaajiroon and the Ansaar. The people of Madinah responded to the hijrah (migration) of those from Makkah with open arms and welcomed them into their homes and hearts, willing to share everything they had with them' (JU newsletter, 13 September 2006)

It is evident that the shared faith informed the religious bodies' response to the issue. It is true that some of the statements by different religious bodies came in general terms and were aimed at emphasizing the values and notions of accepting the other, however, it was evident that sharing a common faith was a determinant factor in being vocal about the suffering endured by Somalis for example rather than the immigrant population in general. MJC and JU referred explicitly to Somalis in their statements. For example, as a response to the attacks on Somali shop owners, and the government response to that as a criminality and not xenophobia, the MJC criticised the South African Government for not doing enough to eradicate the fear that had been instilled in African migrants living in the townships (VOC 12/7/2010). Furthermore, JU signalled out the Somali and other Muslim immigrants, acknowledging that they 'face a tremendous challenge... and are confronted with the cold face of xenophobia and extreme prejudice' (JU newsletter, 20 March 2007). Furthermore, JU called the South African Government to 'take notice of the problems faced by the Somalis' and 'to work to find a solution to their current predicament' (JU newsletter, 20 March 2007).

The shared faith was always given priority over any other consideration. Religious bodies stressed that sharing the Islamic faith should unite Muslims and that other differences like nationality; race or gender must not be a source of disunity amongst Muslims. This meaning was stressed in an article published in JU newsletter in which it says:

⁴ Following the migration of Prophet Mohammed to Madinah (in present day Saudi Arabia) he assembled the Muhajeroon (immigrants) and Ansaar (helpers) at the house of one of the Ansaar, and told them that the Muhajiroon had left all their belonging in Makkah and were now penniless and shelter less. The Ansaar willingly agreed to the creation of a brotherhood between the two groups in which every one of the Ansaar took one of the Muhajeroon to his house and gave one half of his entire property to him under the guidance of the prophet.

Muslims stand united under the banner of *Laa ilaaha illa Allah*.⁵ Gender, race, nationality or ethnicity can not, and must not, be a cause of creating disunity, fragmentation or strained relationships between the members of the brotherhood of believers (JU newsletter, 13 September 2006)

On a more practical level, the religious bodies in their publications have spoken about pragmatic measures that need to be taken to tackle the problems suffered by immigrants; most importantly integration with the local Muslim community. In this respect JU called for ‘programmes for forging better relationships and stronger bonds between all members of the Muslim community’ as well as ‘opening channels of communication between leaders of respective communities’. JU also called for databases of all Muslims in different areas as well as achieving close relationships between different communities by joint congregations that is addressed by scholars from different communities (JU newsletter, 13 September 2006). In 2010, JU pursued a programme that aims to forge closer contacts with the Muslim immigrants. The Taalimi Board of JU visited the Turkish community in Johannesburg in February 2010, the Somali community in Mayfair, and other Muslim immigrant communities. *Madrasas* are also helped by providing Islamic curriculum by JU (JU newsletter, 10 March 2010).

The relevance of religion was best reflected in the aid that was offered to Muslim immigrants after the spate of xenophobic attacks in 2008. In the Western Cape, MJC has tried to practically help the Somali community by appealing to the mosques throughout the Province to open their doors and offer temporary housing for the thousands who were displaced by the attacks, that included mosques in Surry Estate, Belhar and Mitchells Plain (VOC 23/5/2008). This step was praised by government and the Muslim community was commended for that

At no point in our history ever had you see an ‘ulama body step up and say ‘open all mosques to foreign nationals’ and create a safety haven for them. afterwords that all the studies coming from the government shows that Muslim community had offered the biggest support to the refugees in that crisis (Interview with Munadia Karaan, 8 october 2008)

In addition, religious leaders were involved actively in the arrangements that engaged Somali traders and locals in the townships. For example, the MJC got involved in a meeting called by the Premier’s office in September 2006 to facilitate talks between

⁵ This is the statement of tawheed, and it literally means : there is no God but Allah.

the Somali businessmen and local traders and businesses in Masiphumelele township in Cape Town (VOC 6/9/2006).

This direct aid to the Muslims and the high profile that was given to the religious affiliation brought the national question again to the fore, as some local South Africans expressed dissatisfaction towards the priority given to supporting Muslim immigrants, and whether local Muslims should extend their arm first to their fellow poor South Africans rather than to immigrants. The following is an excerpt from a letter forwarded to the Voice of the Cape radio station by the chairperson of a local retailers association, Zanolokhanyo Retailers Association:

Our problem is simple: we are hungry, we are angry, and the Somalis are undercutting us. These people come into the country with nothing and the next minute they have stocked shops and fridges. We have done our research and we know that the MJC is helping them because they are Muslims (VOC 17/9/2008)

On another level, Faried Sayed drew a different, yet related comparison, when he commented on South African Muslims helping Muslim immigrants:

Muslims went out to rally (in support of Somali immigrants), they rallied they served the Somali because they are Muslims and this is a good thing. I was asking myself if it has been just the Zimbabweans, would we have seen the Zakah Fund and all these organisations working with them? I don't want to be cynic though!!! Faried sayed Muslim news (Interview with Faried Sayed, 7 October 2008)⁶

Although the local Muslim community in general has been supportive to Muslim immigrants, it seems that the local African Muslims in particular find enormous opportunities in receiving Muslim immigrants particularly from African countries such as Malawi, Uganda and Nigeria. According to local African Muslims, religious leaders from these immigrant communities provide an alternative source of knowledge and thus are perceived as an opportunity for them to empower themselves and free themselves from the perceived Indian hegemony — An issue that I will elaborate on in chapter 6.

⁶ Although it is outside the ambit of this chapter to talk about Muslims solidarity with the broader Muslim *ummah*, it is worth noting that similar observation was raised regarding Muslims showing their solidarity only with their co-believers for example helping Palestinians while similar support is not shown to Zimbabwean who equally suffer. Cassiem Khan told me how Muslim religious leaders were absent from a multi-faith meeting in Solidarity with the people of Zimbabwe, to quote his words: 'someone is dying on your door step and you are worried about someone dying further. Nothing wrong, we are all shocked by Gaza we all work hard at what has happened, but just come to a meeting and show solidarity' (Interview with Cassiem Khan, 21 January 2009)

Nevertheless, the different aspects of religion-based solidarity mentioned above did not deter some Muslims from expressing negative comments towards African immigrants who frequented a mosque in Johannesburg. These comments, expressed by an *Imam* about the use of the mosque facilities by African immigrants, led Naeem Jeena, a Muslim activist and a former MYM president, to dedicate one of his weekly columns in *Al-Qalam* newspaper to respond to these discriminative remarks. He criticised harshly the discrimination within the community and highlighted the dangers of it. The article by Jeena highlighted also that discrimination against Muslim immigrants was also racialized, as was the case in the wider South African context. To quote Jeena: 'my guess is he (the *Imam*) was not referring to Indian, Pakistani, Bengali, Turkish, Iranian or European immigrants but those from our own continent' (Na'eem Jeena, *Al-Qalam*, March 2000). By the same token, Rehana Moosajee argued that based on her experience in dealing with Muslim immigrants, there is still 'some conflict between the settled community and the immigrants; the settled Muslim community have not embraced the immigrant Muslim community' (Interview with Rehana Moosajee, 22 January 2009).

However, with very few exceptions like the example given above, it seems that this positive discourse on the part of religious leaders and media has resonated well with both the local Muslims as well as the Muslim immigrants. The views local Muslims expressed towards fellow Muslim immigrants were positive and supportive. In Soweto, although my respondents shared frustration at the immigrants who have come to make a living in their country and yet they do not employ South Africans in their shops, they also said that Muslim immigrants in the townships have enjoyed their protection during the xenophobic attacks.

They (non-Muslims in the townships) know that Islamic brotherhood is very strong. If an Indian were to be hijacked in front of me I won't let this happen. .. Those Muslims [immigrants] walk safe here, no one will touch them. So that in itself is a protection. Bengladishis and Somalis are doing very good here, they would come not only in Soweto, go any where, they even go to rural areas, and they will open shops there (Interview with Zubairi, Soweto, 31/8/2010).

However, if these immigrants do not comply with Islamic injunctions they should not expect Muslims to stand by them and offer them any protection. Zubairi who knew of some Pakistani traders who were selling pork in the townships, told me:

We told them that if there are xenophobic attacks, we are not going to support them. As Muslims you are selling pork, and I trusted you and I came and I bought from you. I am not going to be on your side when you have a trouble.... we told them: 'should there be a xenophobic attack, you have to know that you would be by yourself' (Interview with Zubairi, Soweto, 31/8/2010).

In conclusion, despite the efforts exerted by the religious leaders and the media the way is still long before Muslim immigrants are fully integrated in the community. Suffice here to mention the tendency of the immigrant Muslims to build their own mosques, *madrasas* and places of worship and their own Islamic schools instead of using the existing mosques and Islamic education facilities. For example, the Somali community has their own mosque in Mayfair that could accommodate around 600 worshippers. In Midrand, the Turkish Muslim community is in the process of establishing a mosque modelled on the Selimys Mosque in the city of Edirne, Turkey. Furthermore, the Ethiopian community has also built a mosque to accommodate around 350 people. Although none of my interviewees suggested that the lack of integration is the reason why this might be the case, this tendency begs the question as to what extent the discourse of Muslim key players has reached the Muslim public.

The biggest challenge that faces both South African Muslims as well as Muslim immigrants is allegations of terrorism and radicalism. Before the 2010 World Cup, some newspaper articles (see for example reports published by Hussein Solomon in *The Cape Times*, October 2009) claimed that Muslims and Somalis in particular are posing a terror threat to 2010 World Cup. These allegations however were faced by a strong reaction from the Muslim community. For instance Media Review Network, which is a Muslim advocacy group asked for ‘evidence to be placed on the table’ (VOC, 24/10/2009). On the other hand, Jam‘iatul ‘Ulama committed itself to ‘stand by any due process of law that deals with any criminal activity by individuals and groups that infrings on peace, security, hard-won fundamental rights and civil liberties’, however, it also warned that unfounded reports such as the one mentioned above could ‘put the entire Somali community, in particular at a high risk of backlash from the public’ which could incite xenophobic violence in the country (JU press statement, 15 October 2009)

5.3.3 A view from the Somali community

Triandafyllidou (2006) argues that a fuller account of national identity formation in relation to immigrants necessitates looking at the discourse coming from the immigrants’ side as well. In this final section I will present a view from the Somali community in order to establish the importance of religion as a marker for unity. My interviews with a number of Somalis in Mayfair in Johannesburg showed that religion

played a major role in them choosing to reside in Mayfair, which is well known for its Muslim community. In addition to the salience of the religious factor, Somalis whom I interviewed argued that their choice to reside in Mayfair was influenced by the historical experience of apartheid in South Africa; they said that concentrating in certain areas is not their invention, but rather dictated by the history of South Africa itself, Sirajj explained:

We developed our collectiveness on the basis of the historical back ground in South Africa itself. In South Africa, when we came, we found that every group secluded itself in one area; these areas are for coloureds, these are for Indians and these are for Africans. So when we came to this country the first patch of us we lived in new town apparently it was not so conducive for us in terms of places for worship ...etc. so we have decided to join hands with our fellow Muslim brothers, the people who were close to us at that time. That was an apartheid system you live with someone like you very close to. So this is not started by us Somalis, it was before we come. So when we came we thought who is closer to us? The Indians, because we have Islam in common we are both Muslims we use *Masajid* together (Interview with Ahmed Sirajj, Mayfair, 5/9/2010).

As for the support they get from the Muslim community, views expressed by Somalis in Mayfair confirmed the kind of support given to the Somalis by the South African Muslim community. The deputy president of the Somali Community Board (SCOB) praised local Muslims for their support:

We are grateful to the Muslim Community in South Africa. When we first came to Mayfair, we found a big South African Muslim community. There were mosques, Islamic schools that is why when Muslims from everywhere be they Somalis, Sudanese, Egyptians... we found the support of the local Muslim community... they welcomed Muslim brothers (Interview with Ismail Abdulla Abdou, 5/9/2010).

Ahmed Sirajj, an accountant in a private company who came to South Africa in 1997, shared the same views and praised the local community for their help. He himself was helped with his education fees for four years by the local Muslim community. The Somali community have also in their accounts refuted the widely perceived view that Somalis are stealing opportunities from the locals. Ahmed Sirajj told me that because of their experience in a collapsed state, Somalis 'got to learn to depend on themselves, they are not expecting the state to provide them with anything'. A number of Somalis whom I spoke to challenged the claims made by locals that they are stealing opportunities. Sirajj stated: 'with very few exceptions, ninety-nine percent of the Somalis are self-employed, they don't steal jobs from the job-market, they set their own businesses and work hard on them, so the claim of job stealing is a mere 'myth' (Interview with Ahmed Sirajj, 5/9/2010).

In addition to the need to be with Muslims, some other practical reasons lead Somali immigrants to concentrate in areas like Mayfair; amongst these factors is the crime, as Saeed put it:

There are lots of things that unite us (the Somalis), the crime in SA is the highest in the world and this is one reason why we are together, because should you stay alone, then there is the possibility that you might be attacked that is one issue. Another thing is the issue of language and religion and that brings us together. Whether that discourse put some hatred in the locals, I can say: yes in one way and no in another way. Yes, because whenever there is inflation or economic problem with the country people especially South Africans will think that Somalis have taken all the opportunities but on the other hand, South Africa being the rainbow nation that accommodates so many societies that gives us opportunities to live the way we want to live (Interview with Saeed, 5/9/2010).

On the other hand, Abdul Kader, from the SCOB also highlighted the downside of the Somali concentration in one place like Mayfair for example, he said that concentration in a single place gives the impression that Somalis are in large numbers, he said:

Other nationalities that stay here double us [in numbers] for example the Bengalis, they are more here, they have business in the townships, the point if you go to some areas Somalis are smaller than the Bengalis, but the latter are not that visible also Nigerians they integrate perfectly in South Africa and they integrate and live the way South Africans live... We are more visible than others and this have bad side to it (Interview with Abdul kader, 5/9/2010).

Although proximity to local Muslims proved vital for the Somali community the latter, represented by SCOB — which was established in 2007 to look after the Communities needs⁷, is trying to adopt measures to help the community to better integrate in the broader South African society. The SCOB attributed the problem of xenophobia to the lack of knowledge on both sides. On one hand, upon their arrival Somalis do not get any kind of orientation program that could help them to know about their hosting country's history, geography, culture, languages and other aspects that are essential to properly settle down and integrate. And on the other hand, it is also essential to remove any misconceptions that could lead to hatred between people due to the lack of knowledge. The orientation program has two sides, the first directed at the local South Africans while the second is directed at Somali asylum seekers in South Africa. As an initiative to such an orientation programme, SOCB published a document which includes basic information about Somalis such as their country of origin, languages spoken by Somalis, religious practices and beliefs, food and diet, dress code, culture and

⁷ The activities of SCOB also include education, financial help and support, help with documentation and processing applications with the Home Affairs.

customs and many more. During my field work, SCOB was in the process of applying for funding in order to run workshops to launch the orientation program to the Somalis in South Africa (SCOB, March 2009). The aim, to quote the funding proposal for the orientation programme, is 'to enable the new Somali asylum seekers to empower themselves with the basic knowledge of the country and interact more with the host community in the areas that they are intending to live in... to eventually assimilate in the society amicably and peacefully' (SCOB, March 2009).

5.4 Conclusion

This chapter aims to contextualise the debates surrounding national identity in the Muslim community through looking at two main case studies. The first is the attempts to enact the MPL and secondly the attitudes towards foreign immigrants and the role played by religion in this context. The two case studies revealed how religion played a role in setting the priorities within the national identity discourse. In the case of MPL, having a law that is compliant with the shari'ah was the determinant factor in negotiating the MPL. The relation between the constitution and the shari'ah-driven law was the most controversial issue and contributed to the law being in stalemate despite long years of negotiations and deliberations.

On the issue of immigrants and associated xenophobia, religion also set the tune for the discourse. Instead of a discourse that was highly charged with national identity sentiment, the line was not drawn between 'us', South Africans, and 'them', immigrants. Instead Muslim immigrants were part of the Muslim fraternity, the Muslim Ummah, and Islam was a marker of unity rather than a marker of division. Religious leaders drew heavily on the Islamic injunctions that rejected discrimination. Sharing the same religion was also an asset for the Muslim immigrants who felt safer residing in Muslim majority areas such as Mayfair in Johannesburg. The discourse around the Muslim Ummah and solidarity between Muslims, regardless of their race or country of origin, replaced the talk about South African national identity as a priority.

In both cases Muslim religious bodies played a great role, if not the lead role, in directing the debates. However, in the case of Muslim Personal Law, this role started to be challenged by other actors who challenged the religious fraternity in what for a long times has been perceived as their area of dominance.

6 Chapter Six: Indian Muslims, African Muslims, or Just Muslims: The Ethnic Dimension in Inter-community Relations

6.1 Introduction

Using Islam as an all-embracing category under which to group or define all Muslims is not incorrect. They are Muslims but it precludes an understanding of how religion, in this instance Islam, is used to invent different subgroups which represent the reality of the functioning of Islam in South Africa (Vally 2001:272)

In the previous chapters I looked at discourses surrounding national and political identities within the Muslim community. On these two levels of investigation the Muslim community as a whole was the main unit of analysis in order to see the extent to which Muslims as a community forge their own distinctive identity in the national and political realms. However, this by no means suggests that the Muslim community is a homogenous unit. On the contrary, whenever relevant and appropriate my discussion has highlighted, explained and analysed differences within the community. This chapter turns its focus to inter-community relations. As it was highlighted in the previous chapters, different key players attempt to forge a unified Muslim identity. In order to pursue this goal, these players pursue several strategies, including, establishing Islamic political parties, adopting an Islamic perspective in politics, and defending Muslims' rights to have laws derived from *shari'ah*. This chapter, however, examines the extent to which a unified Muslim identity actually exists when the focus is the inter-community relations. In addition this chapter focuses on self-identification as opposed to identification by other agents.

In this chapter I argue that intercommunity relations are to a great extent divided along ethnic lines between the three main clusters constituting the Muslim community, namely Indian, Malay, and African Muslims. Ethnic identities, hence, are still of paramount importance as far as inter-community relations are concerned. I argue that socio-economic factors determine to a great extent the relations between the different sub-groups within the Muslim community. However, I also argue that whereas the distinction between Malay and Indians is less salient and is usually reduced to

differences in rituals and practices, the distinction between African Muslims and Indians is more pronounced and the ethnic aspect of it is more salient.¹ The chapter further discusses the reasons why this pattern of ethnic based self-identification is pursued; the manifestations thereof and the discourses regarding these manifestations.

The argument in this chapter will be advanced through five sections. The first section will discuss the main explanatory paradigms that address ethnic relations and ethnic conflict. The second will highlight the demographics of the Muslim community and its different components and how the current racial labelling of this community as Malay, Indians, and Africans are deeply rooted in the apartheid era. The third and fourth sections will focus on the African-Indian divide; whereas the third addresses the perceived socio-economic imbalances that are believed to be the main reasons behind the current ethnic-based identification, the fourth focuses on the discourses regarding self-identification of African Muslims. The fifth section will focus on the Malay-Indian divide. Finally, the conclusion will link the explanatory paradigms highlighted at the outset to the realities of ethnic relations in the South African Muslim community.

6.2 Ethnic relations: An explanatory paradigm

Over the past decades, a number of theories aim to explain how ethnic relations work and how it could be better understood and analysed. Joe R. Feagin and Clairence Booher Feagin (1994: 29- 45) offer a clear classification of such theories, largely divided into two main categories depending on their focus and ethnic relations outcomes. The first category includes what is called ‘order theories’ while the second category brings together what they label ‘power-conflict’ theories.

As is obvious from its name, ‘order theories’ focus on stratification and are concerned with ‘orderly integration and assimilation of particular racial and ethnic groups to a core culture and society’ (Feagin and Feagin 1994: 29). Assimilation theory is one example of order theories. Power-conflict theories on the other hand pay more attention to the inequality of the power and resources distribution associated with racial

¹ It could be argued that there is a missing third leg in the triad— specifically the Malay/ African relations. I decided to include this in what I call the African/Indian divide because in their narratives, my African interviewees themselves did not differentiate between Indian Muslims and Malay, they rather used the term ‘Indian’ to refer to both of them.

or ethnic subordination. Examples of power-conflict theories are class-based and neo-Marxist theories (Feagin and Feagin 1994: 29, 36).

Another classification of theories that explain ethnic relations is offered by Gerhard Schutte (2000: 207) who argues that structural and cultural parameters could help us understand shifts in race and ethnic relations. The focus of these two paradigms are completely different; whereas the structural approaches concern themselves with legal and socio-economic parameters of inequality, cultural perspectives on the other hand deal with values, ideologies, linguistic conventions, perceptions and meanings. Therefore, scholars and academics have always considered these two paradigms to be at odds. Despite this apparent difference between the two paradigms a number of scholars, such as Michael Omi and Howard Winant, have tried to combine them by arguing that they are, in fact, two faces to the same coin. In this context they offered an alternative and dynamic synthesis of the two approaches (Schutte 2000: 208- 209).

Although these frameworks have mainly been developed to explain ethnic relations in the American context, it seems to be also applicable in the South African one. I argue that a combination of the structural and cultural parameters explain the salience of ethnic identification in inter-community relations. I also argue that socio-economic differences between Indian Muslims on one hand and African Muslims on the other hand led the latter to emphasize a distinct African Muslim identity as opposed to an Indian Muslim identity. The manifestations of such distinction are manifold. Socio-economic differences are less significant in explaining the Indian-Malay relations; the latter could be better appreciated using the cultural paradigm as explained above.

6.3 One Muslim community or multiple Muslim communities: the roots of ethnic labels

As I have previously mentioned in Chapter 1, the current Muslim population of South Africa is not a homogenous group; they have originally come from different parts of the world, followed different paths and had different experiences during their journey to settle in the country. However, what is relevant in the analysis here is the role played by the state in 'legalising exploitation and segregation and in defining ethnic and racial relations'(Feagin and Feagin 1994: 43- 44). In other words, the South African context

revealed how racial and ethnic relations have been substantially defined by the actions of government, mainly through legislation

The state laws of apartheid contributed to a great extent to widening the gap and differences that already existed among the different sub-groups that constituted the Muslim community. Amongst the legal pillars of the apartheid system, two pieces of legislation that had an especially severe impact upon the Muslim population were the Population Registration Act of 1950 and the Group Areas Act of the same year. According to the Population Registration Act, the South African population was originally classified into three categories: Whites, Coloureds, and Natives. The Coloured category initially included people of South Asian descent. It was subsequently subdivided into many sub-groups, such as Cape Malay, Griqua and other Coloured. Indians became a category of their own. Natives, in later revisions of the law, became known as 'Bantu' and later as 'Blacks'. The only group that the apartheid state regarded and thus kept as one homogenous category was the Whites; despite the linguistic and ethnic diversity within the 'White' population, no distinction of any kind was made (Schutte 1995: 73, 74). For the Coloured Muslims, racial classification was far more complicated. Following the simple strategy of divide and rule Muslims in the Cape were designated as Malay; a sub-category that set them apart from the broader Coloured population. Furthermore, they were given a higher status compared to Coloured and their culture was given precedence over the Coloured's (Martin 1998: 526-527). The term Malay was advocated by the Afrikaner scholar, I.D. du Plessis², who was the first to use the term to distinguish the Muslims of the Cape from the broader Coloured community. The Malay, according to du Plessis, 'consists of many racial elements such as Javanese, Arabs, Indians, Ceylonese and Coloureds (and to a lesser extent Bantu)' (Plessis 1946). What this group of people has in common, and led to them to be grouped in one category, is a shared religion i.e. Islam. In the case of Malay people, du Plessis defined religious and ethnic identities as entirely coterminous. In this sense Malay as Muslims came to be constructed against Christians as Coloureds. This construction of a distinct ethnic identity was no doubt in line with the apartheid state social engineering project.

² Du Plessis was an Afrikaner poet who had a special interest in the Malay life and culture. He made extensive use of coloured culture and dialect of the Afrikaans language in his poetry. He was appointed a secretary of Coloured Affairs following the election of the National Party in 1948 (Martin 1998: 536-537)

The first publication in the race relations series published by the sub-department of Coloured Affairs, Department of the Interior in the Union of South Africa was dedicated to the Cape Malay. In this publication du Plessis stated:

...and so as time went on we learned to know that there were not only white people living here, but also coloured people, Malays, Indians, and even some Natives. We learned to know that the different kinds of people did different kinds of work, but each kind of work had to be done, and nobody would get very far without all the others (Plessis and Lückhoff 1953: 5).

It is obvious from the quote above that Plessis identifies Malay as a distinct group different from the Coloured. The study describes different aspects of Malay life such as religion, customs and traditions as well as the impact Western society might have had upon the Malay social system. In another publication by the Institute of Race Relations, David Lewis (1949) emphasized homogeneity over diversity within the Malay community, writing that::

The Cape Malays form a homogeneous group, a unit of kind, within the generous bounds of Islam. Not only are they distinct among the general Non-Muslim communities at the Cape, but they are, to a certain degree, distinct within Islam. So that they are separated by two types of distinction; Islam itself, the broad teachings of the Prophet, holds them apart from the general mass of the Coloured peoples. And their own minor tenets, with their own particular variations on the single theme which is Islam itself, describe them within the far-flung Mohammedan world (Lewis 1949: 588).

He further added that despite their small numbers (between 27,000 to 28,000 at the time) what is unique about them is 'the fact that it is the only homogeneous community among the fluctuating and disorganised mass of Coloured people' (Lewis 1949: 589). Interestingly, however, Indian Muslims who had settled in the Cape and also shared the same faith were treated and classified as Indians. In this respect Lewis noted:

Muslims at the Cape comprise two sections. The one, a minor and inconsiderable section of 5,000 Indian Muslims whose language in and out of the mosque is Urdu; and the other, a larger section whose language inside the mosque is Arabic and outside it Afrikaans. Their Afrikaans has a smattering of Malay words whose origins are either Javanese or Arabic and a particular dialectical accent which is remarkable for its lyrical lilt. (Lewis 1949: 590)

Cape Muslims themselves have played a role in internalising this distinct Malay ethnic identity. During the 1940s and 1950s Some Cape Muslims advocated this construct. Fataar (2009: 7) used the scene at du Plessis funeral where the pall bearers 'were suitably attired 'Malay' men who carried his coffin into church' — as an evidence to such internalisation

Unlike the Malay, Indian Muslims were not assigned a separate population group. In the *Hand Book on Race Relations in South Africa*, Indian Muslims were referred to as

‘Mohammedan’ and Islam was considered the second largest religion amongst the Indian population after Hinduism (Naidoo 1949: 577). Although Indians themselves originated from different places in the sub-continent, no further racial sub-classifications were given to them by the authorities. However, internal stratification has historically taken place within this community. As I mentioned earlier in Chapter 1, Indian Muslims came in two major waves. Amongst the indentured groups, Muslims were generally referred to as Hyderabaddees. Vally argues that this generic term given to Muslims despite the fact that not all of them came from Hyderabad— is an example of ‘a horizontal internal stratification’ that characterises the South African Indians. It also reflects a need to ‘categorise themselves in to knowable and manageable groups’ (Vally 2001: 275). Free passengers, on the other hand, mostly originated from the state of Gujarat and paid for their voyage to South Africa. Furthermore, unlike their indentured counterparts, they came as British subjects and thus they enjoyed privileges such as freedom to enter South Africa from any port of their choice; that is why they came through Durban, East London and Cape Town (Vally 2001: 277). In addition, the Group Areas Act — which was logically based on the Population Registration Act — allowed separate living spaces to people belonging to the four mentioned above categories. The Group Areas Act had devastating consequences for all communities and the Muslim community was no exception. One such stark example was the case of District Six, which was announced a White area but had been previously occupied by Cape Malays (among many other ethnic and religious groups) for centuries. As a result, the whole population was forcibly removed out of the area and hundreds of historical buildings were demolished to make way for the White population’s business and residential interests (Schutte 1995: 73, 79). The impact on African Muslims was no less significant; in the Cape, they were prevented from visiting mosques that were predominantly located in Coloured areas, furthermore they were actively discouraged by the state from building their own mosques in African areas, a restriction hardly imposed on the building of churches in African townships (Lee 2007: 125-126).

6.4 One faith, multiple communities: the African-Indian divide

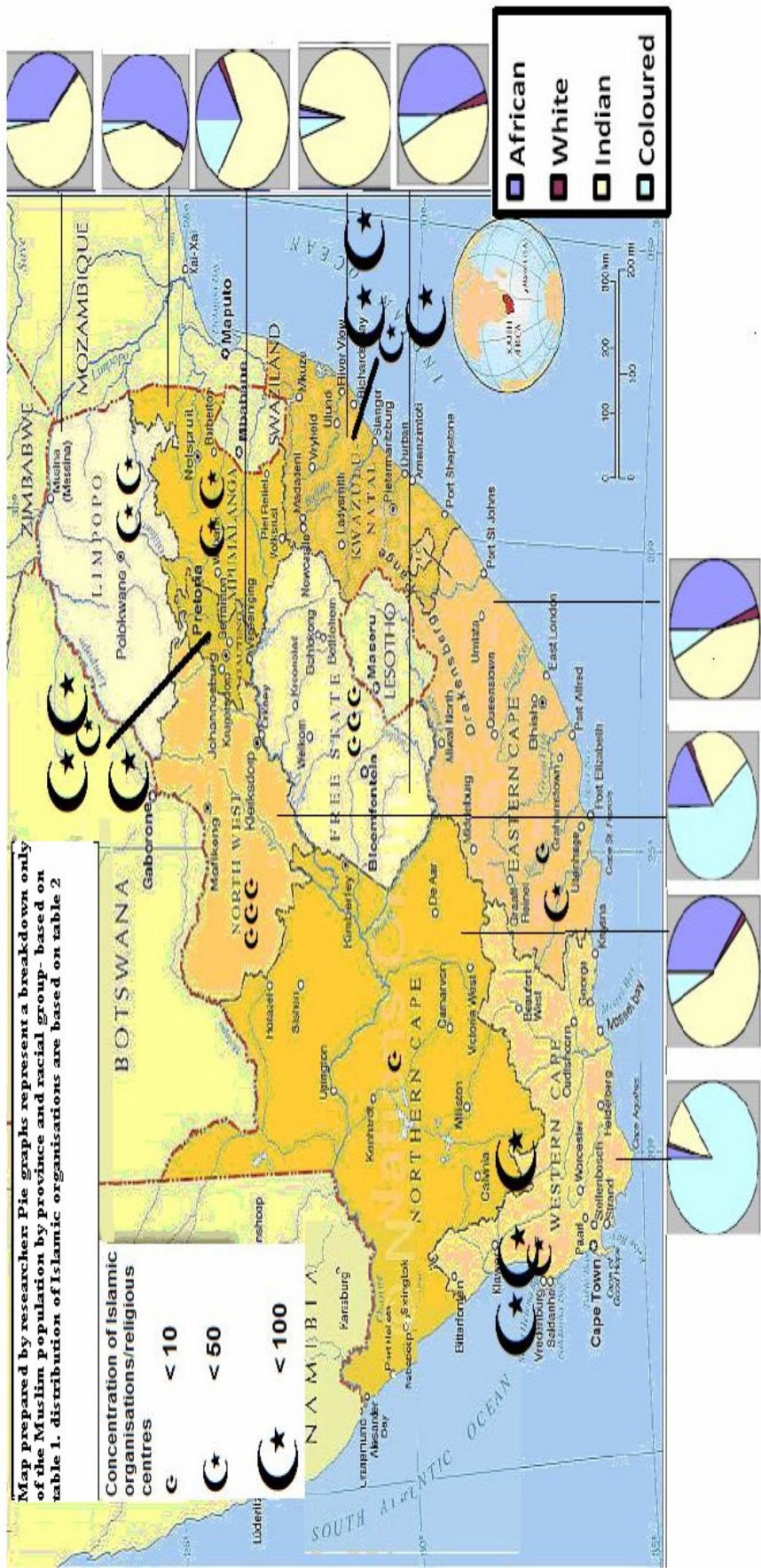
Following the argument that I have outlined earlier in the introduction, this section and the following one draw heavily on the opinions and views expressed by my interviewees regarding the inter-community relations and dynamics. These views suggested two

different types of dynamics, the first takes place between the African Muslims and the Indian Muslims. The second takes place between Indians and Malays. Although the division within the Muslim community seems to express itself along ethnic lines, it owes much of its roots to the perceived inequality between the different communities, particularly between African and Indian Muslim communities. Interviews with African Muslims reflect on these inequalities and imbalances in resources and power as I will show below.

A cursory look at the distribution of resources within the Muslim community reveals an acute imbalance in these resources starting from mosques, to Islamic schools and *madrasas*, to Muslim organisations and Islamic media (see figure 3 below). In terms of mosques for example, the imbalance is very acute. In Lenasia, for example, there are more than twenty mosques, while in neighbouring Soweto there are only two *Jamaat Khana* and two mosques, one of which is still under construction. The same remark applies in Pretoria as the differences are obvious between for example Laudium — a previously Indian township — and the African township of Soshanguve/Winterveld where African Muslims did not have a place to perform prayer till they recently built a Jama'at khana. One can only understand the effect that imbalance might have on the lives of Muslims in the African townships if we know that many Muslims do not have means of transportation and have to rely on public transport to get to other places where mosques are located (Interview with Sidiq, Winterveld, 10/1/2009). The same pattern is to be repeated in every comparison between the Indian townships and the African townships across the country. On a larger scale, Figure 3 shows that the provinces with higher Indian and Malay population are the ones with high concentration of Islamic institutions, whereas provinces with larger African Muslim population tend to have less Islamic facilities. An African respondent told me that the lack of facilities in the townships transcends the worshiping places:

If a black person dies we need to take him to Lenasia. We don't have facilities here, they have everything, the facilities are there, the radio station is there, the *masjid* are there. Everything is there (Interview with Zubairi, 31 August 2010)

Figure 3 Concentration of Islamic institutions in different provinces



As is also evident from the quote above, Islamic radio stations and Islamic newspapers are another manifestation of the concentration of resources and the imbalances in these resources. Islamic print media are also hard to get in the townships and many of my respondents could not even name the two major Muslim newspapers which claim huge readership. African respondents whom I met do not get access to the Islamic radio stations. In Soweto for example, African Muslims are unable to listen to Radio Islam broadcast from neighbouring Lenasia. In order to receive the signals one has to have a receiver which is not affordable for many. In terms of coverage and programmes, there are hardly any programmes that are directed at African Muslims in their spoken languages. The VOC in the Western Cape is an exception as it achieved a comparative advantage in this particular point; in August 2007, the station launched a ninety minute weekly programme called *Islam Ubuntu*. Forty percent of the programme's content is conducted in English, sixty percent in African languages; divided between Xhosa (fifty percent) and Sotho (ten percent). *Islam Ubuntu* includes translation of the Qur'ān and *fiqh* in Xhosa, a *da'wa* segment in Sotho in addition to a community profile on individuals and organisations serving Muslims in the townships, and finally a weekly discussion on a contemporary issue (VOC 21/8/2007). The programme was an initiative from the African Muslim community in Cape Town; *Imam* Ismail Ngonyana, the African *Imam* behind the idea said: 'if VOC was established for the Muslim community of the Western Cape, then Muslims in the townships have just as much a right to the airwaves as all other Muslims in this region'. It is believed by those working on the programme that it plays a role in crossing 'the divide in an increasingly diverse Muslim community' (VOC, 21/8/2007). Although all my African informants have a good command of English, they emphasize the importance of their mother tongue languages as an important component of their identities. They criticized *Imams* who come to the African townships to talk to Africans about *din* while they could not speak their language.

In terms of management and control of the existing organisations, Indian Muslims control the institutions as well, which is a natural result of them controlling the finance of these organisations as explained by Yunus Chamda, who acknowledges that 'Indian Muslims control the institutions, the masjids, *madrasas* and the 'Ulama councils... they rely on Indian business and they are quite comfortable in controlling

everything (Interview with Yunus Chamda, 1 February 2009) This view is also backed by evidence on the ground and also by views expressed from my respondents. The majority of the staff in most of the organisations that I contacted during my field work is predominantly Indian Muslims. Very few organisations (an exception being the Islamic Care Line) have any African employers; at the time of my visit in 2009 two African Muslims worked with the Muslims Aids Programme (MAP) Care Centre, which is affiliated to JU. This, once again, raises questions about the level and nature of contact and communication between the different groups within the Muslim community.

Based on the interviews and evidence from the organisation itself, the MYM is one of the organisations with significant African representation, not only in the membership ranks but also on the level of organisational leadership, making it one of the 'most representative and inclusive Muslim organisations in South Africa' (Interview with Na'eem Jeena, 17 November 2008). MYM elected Tahir Sitoto as its first Black African president. Tahir Sitoto told me that during his term as president the Eastern Cape and the Orange Free State (now the Free State) were represented by a predominantly Black leadership. Now the leadership structure of the MYM is predominantly Black. Some of the African leaders include Salman Letlatsa, who followed Sitoto in presidency, and Ebrahim Khobimpe Mcetywa, who was Sitoto's deputy president, and the current president Tandile Kona (Personal communication with Tahir Sitoto).

The absence of African Muslims in managerial posts in the Islamic institutions is believed to be the worst in the religious bodies. In an article in *Islamic Focus* entitled 'Identity and power: it is time to speak out' the writer stated that Black 'Ulama are not given the chance to participate in decision making structures. According to the article: 'if they (African 'Ulama) are appointed, at all, that would be more of 'window dressing' than a substantive change in how these masajjid and jamiat are managed' (Islamic Focus 2007). As a consequence of this lack of representation in different Muslim organisations and most importantly in 'Ulama groupings, African Muslims challenged the claim put forward by the 'Ulama that they represent the entire Muslim community in South Africa. The following excerpt from a group discussion at Dlamini Mosque in Soweto reflects this challenge:

Anonymous: I can say that they ('Ulama bodies) represent certain communities, they do not represent us. They don't represent me as a Muslim.

Khomenie: They don't represent me as a Black Muslim.

Anonymous: They can go anywhere in the world and claim that they represent Muslims, but they don't represent me and my brothers here (Dlamini Mosque Focus Group, 1 September 2010)

The material dominance over Islamic institutions, especially the religious ones, resulted in some kind of cultural dominance which contributed to increasing confrontation between the two groups. In this context, religious institutions and *madrasas* are perceived by many respondents as vehicles to enforce the Indian way of doing things. One of my respondents criticised *Darul 'Ulums* (the Islamic institutions for Islamic studies). He said that Africans go to learn *din*, they also learn Indian culture not only Islamic teachings.

Institutions are run by Indians, and they do everything according to their customs and cultures. And when I go to darul 'Uloom and study there, I wear Indian (sic) and when I come to my people, I am an Indian that is the problem if you don't go there and learn Indian (sic) you go and learn the *din* so when they give us Islam they give us their culture as well that is a fact. That is why we have a very serious problem when it comes to our relations with them. And now even those people who come they differentiate the sunnah and tradition and Zubairi (another participant) knows because these institutions are for brainwash, I mean these Darul 'Uloom (Anonymous, Dlamini Mosque Focus Group, 1 September 2010).

Another example of what is perceived as a cultural dominance is African having to change their African names once they convert to Islam, as Zubairi explained:

My name is Thabo, when I become a Muslim I changed my name. Why if I become a Muslim I had to change my name? Umar was Umar before Islam, Abubaker was Abubaker before Islam¹. My name is Thabo, nothing is wrong with the name, but when I become a Muslim I must be this and I must be that. Don't you think that this contribute to the same problem? (Zubairi, Dlamini Mosque Focus Group, 1 September 2010).

In the same vein, another participant said:

That is why I said that we were forced to learn the culture and not only the *din*, that is why you were forced to change the names. Because they don't understand; bad names only that should be changed. But Thabo means hope, but no you have to change because otherwise you won't identify with the people who live Islam in this country. If you become a Muslim and remain Thabo, this will not identify with them. I do have a problem with these organisations they work for certain people and they want to achieve results at the end of the day. There is brainwash. We have never learned the *deen* from Indian institutions (Anonymous, Dlamini Mosque Focus Group, 1 September 2010).

¹ Abubaker and Umar were companions of Prophet Mohammed (PBUH). They became the first and second *khalifas* after the death of Prophet Mohammed.

Da‘wah Movements are also criticised for not being mindful of the Black Africans’ culture when they pursue their activities. As a result, many African Muslims believe that da‘wah organisations are imposing their own cultures and values on the new Muslims, they are accused of imposing their values and way of Islam and for offering assistance ‘with strings attached’ (VOC 18/7/2007). Very harsh on criticizing da‘wa activities was Rehana Moosajee, who posed the following question: ‘why your *da‘wa* is towards the poorest of the poor, why are you not taking it towards influential wealthy Africans, do you fear that the others will be more vocal in what your religion is actually supposed to be?’ (Interview with Rehana Moosajee, 22 January 2009).

In addition to the previous manifestations of division, it seems that the consequences of socio-economic differences between African Muslims and Indian Muslims are more pronounced and obvious. Because of these differences a certain kind of interaction was produced in which Indian Muslims hand aid in form of food parcels and other material assistance. As a result African Muslims are often portrayed as a ‘charity case’, as put by Tahir Sitoto (2002). He argues that academia contributed to this stereotyping by reporting African Muslims as poor and needy people. One study cited by Sitoto was the one by Julekha Kalla (2001) about the Muslims of the townships; her paper highlighted the levels of poverty amongst the townships. Sitoto objected to this tendency by saying: ‘I am often struck, though well meaning, by the constant casting of Muslims or Islam in African townships as a charity case’. These ‘condescending discourses’, as Sitoto argues, constitute a stereotyping of African Muslim communities (Sitoto 2002). An African Muslim recalled an incident when a friend of his went into an Indian shop to buy some food. As he got into the shop, the shop owner turned to him and said that he had nothing to offer. Feeling so humiliated, my informant decided to reject the outfit that would identify him as a Muslim.

If you want to be respected you don’t want to wear the Islamic attire, you would just wear normal cloths. You don’t want to go to an Indian shop wearing Kurta I think it has been once in ten years that I have wear (sic) kurta. I don’t even put topee, because I don’t want people to think if I go to some place that I am going to ask for money or anything (Interview with Zubairi 31 August 2010).

Furthermore, my informant stated that he would avoid greeting Indian Muslims with the Islamic greeting for the same reason, Zubairi explained:

If I see an Indian Muslim, I won’t greet him. So many times I would greet them and they didn’t respond, so I decided from that time on I won’t greet an Indian, unless they are *Jammat* brothers (means Tablighi Jamaat) who come to us and teach us stuff or unless I see an Indian in an African

Black township because I know that they are scared so I will greet [him] and identify myself as a Muslim to help him coz I want him to feel safe. But going out of my way and go and greet an Indian, I can't do that (Inetrview with Zubairi, Soweto, 31 August 2010)

This stereotyping is not only happening on the level of individuals; Muslim organisations are not immune to these perceptions. The MYM— which is believed by many to be the most inclusive Muslim organisation in South Africa— has not achieved the goals of deepening the interaction and integration between Black and Indian Muslims. Despite the teachings of the organisation that called for full integration, Tayob (1995: 123) noted that the contact with Black Africans was restricted to two MYM activities, 'operation winter warm' and '*Qurbāni*'² both are indeed with clear charity purposes and thus intensify and deepen this stereotyping.

These perceptions also negatively affected Muslims in their own communities. Embracing Islam has been widely perceived by Africans as an 'Indian religion' or 'coolie' religion (Inetrview with Quraysha Yussuf, 24 August 2010). Although there is an understanding that Islam is known as the 'Indian religion' because of the history of segregation between Indians and Africans, still those who convert to Islam are sometimes accused of embracing the 'Indian religion' in order to get material help from richer and better-off Muslims who are either Indian or Malay, or sometimes as 'wanting to be like the Indians' (Kalla 2001: 46). The same views were reiterated by listeners who took part in a VOC programme that dealt with the same issue; for instance one African listener said:

If you are a Muslim, you are seen as someone pleasing someone else... Islam is seen as a religion for others, not for black people (VOC 3/10/2006).

In the same vein, another African Muslim said:

We are perceived as people who abandoned our culture and way of life by adopting other people's culture (VOC 3/10/2006).

Another African Muslim added:

Being a Muslim in the township is very difficult, because everything is an identity crisis and inter-relationship with family and friends are very strained (VOC 3/10/2006).

² Arabic for sacrifice

This type of interaction that focuses on helping African Muslims occasionally — mainly during the month of Ramadan— without proper interaction led to bitter criticism from the Muslims. This is perceived as a ‘patronising and insincere act, since the good will this generosity is supposed to engender is seldom seen outside of this holy period’ (VOC 18/7/2007).

Even more problematic in the inter-community relations is the sense of paternalism associated with the help Indian Muslims are providing to African Muslims. In order to illustrate this point, Na’eem Jeena describes the following scenario:

For example, if a group of Muslims from a poor African area came to raise funds to build a mosque we [means Indian Muslims] will give them funds, but we want to be involved in the mosque committee, because they [means African Muslims] can not help themselves, we need to help them... this kind of attitude. And so lots of paternalism, and of course what complicates things is a question of resources. Many Indian Muslims feel that they have to constantly service African Muslim community and not necessarily in a positive way. And many African Muslims and communities have also fallen in this trap of expecting that they should be able to expect to be serviced. And that creates a kind of relationship of inequality so there is serious kind of problem (Interview with Na'eem Jeena, 17 November 2008).

Similarly, an African Muslim recounted a similar scenario. He explained how suspicion and mistrust can partially explain why Indian Muslims want to get engaged in the projects carried out in the African townships. Zubairi, in an interview in Soweto, said that an Indian Muslim must be involved in any fund raising activity, which left the African Muslims disadvantaged and unable to create resources for their own projects. Zubairi, for example, said that it is a big struggle to raise funds to build a new mosque in Soweto, for example, because in order to approach Indian businesses, they normally get a letter from the Jamiatul ‘Ulama to support their bid. If the fundraising is to succeed, an Indian Muslim should be involved in the process.

So yes, even if you get that letter, as a Black, you can’t go and raise money, they [the people we approach to donate] will call [Jamiatu ‘Ulama] to make sure that the letter is ok, they will call to verify, but if an Indian comes, he will just do it. This doesn’t affect us really. We know that, that is what you are and they are. You cannot change them. In Ramadan, I don’t deny the fact the black do beg, but it is not everyone who is doing it, and you can’t be judgemental and think that every black person who comes to your shop is coming to beg. (Interview with Zubairi, Soweto, 31 August 2010)

Another African Muslim who took part in a group discussion at Dlamini Mosque in Soweto said that this also applies to da‘wah activities. Because Africans lack the resources they seek the help of Jamiat, and as a result the latter will accompany them in all their activities (Moosa, Dlamini Mosque Focus Group, 1 september 2010). As a result of their impression that Indian Muslims want to be in charge of all projects, even those

in the township, African Muslims do not have a sense of ownership towards these projects. This was put clearly by a VOC article as follows:

Indians set institutions it is not the African's but the Indian's, so the sense of ownership is highly absent... The feeling is always that decisions are taken for us. We don't get to think for ourselves. When people put up structures here for Muslims, we always feel that it is still belong to them not to the community (VOC 18/7/2007).

The differences between Indian and African Muslims were taken publicly by a group of twenty African Muslims who organised a march to the Union Buildings, followed by a letter of complaint to President Thabo Mbeki. The grievances included in this complaint varied from racism to poor treatment, exploitation, and unfair distribution of zakāt (Fakude 2002:48; Mathee 2003: 52). Although these claims put by African Muslims are to a great extent a reflection of the tensions in relations between the two groups, Abdusamad Nana of Murabituun, referred to 'the victim mentality within the black Muslim community' (Interview with Abdusamad Nana, 18 February 2009). According to him, the oppression that Africans had suffered from historically resulted in a 'psychological gap' between the two groups and lots of the sensitivities (Interview with Abdusamad Nana, 18 February 2009). In the same vein, Naeem Jeena wrote an article in *Al-Qalam* — the mouthpiece of MYM — in 2000, in which he offered a balanced view to the pronounced African Muslims grievances; arguing that African Muslims also had a responsibility in the current state of Affairs as they need to empower themselves and not look to Indian Muslims for 'recognition' and support.

It is worth noting however, that understanding this kind of sensitivities in relations between African Muslims and Indian Muslims requires putting it in perspective regarding race relations in the broader South African context. This remark was emphasized by Najma Khota of Lenasia when she compared between the issue of racism within the Muslim community and in the South African context more generally:

It is difficult to separate the two things; is it as Indians we do that (mistreat Black Africans) or as South Africans we are doing that... as South Africans, we were programmed to think this way, and whether we like it or not, as much as we know it (racism) should not be there it pops its ugly head out, because we grew up in the apartheid era. And even we were part of that, the Blacks were treated the worst of it all. The differences are always there; the superiority and inferiority complexes (Interview with Najma Khota, 30 March 2009).

6.5 African Muslims' responses

The discourses highlighted in the previous section are a reflection of the divide between Indian Muslims and African Muslims. They reflect perceived imbalances in resources between the two sub-groups and beg the question how the responses — particularly from the African Muslims — look like and how these relate to their self-identification. In this regard, African Muslims devised ways to assert a distinguished 'African Muslim' identity — itself, unsurprisingly, also expressed along ethnic lines — as opposed to the 'Indian/Malay Muslim' identity. These responses varied widely, however, they can all be classified under one broad category; namely 'empowerment'.

Several academics, intellectuals and activists from within the African Muslim community initiated a debate about the inter-community relations. One of these intellectuals was the late *Imam* Essa A-Seppe (d.2002), arguing that there is a need for the 'emerging communities' to be fully integrated into Muslim community life to minimize their marginal status. His logic then was since Islam was still 'at infancy' in the townships, African Muslims as an emerging community were in need of guidance and support from the more privileged and established communities (Sitoto 2002: 44). A more radical stance was advocated by Simphiwe Sesanti from the Eastern Cape. He propagated the idea of 'African Islam' which according to him, is 'spearheaded by vibrant and creative Black Muslims independent of Indian Muslims financially and religiously' (Sitoto 2002: 44). Although the discourse about 'African Islam' and 'Africanizing Islam' resonated well within the African community, they do not agree on what it meant by Africanising Islam. Furthermore, Indian Muslims considered that call to be 'hostile' (Mathee 2003: 53). Perhaps in response to this perception of hostility, African Muslim intellectuals suggest alternative self-labelling on the discursive level; they use terms such as the 'emerging community' as opposed to the 'established community' in an attempt to avoid the race-based labels.

On the ground, the responses took a wide range of forms such as following different schools of jurisprudence, empowering African Muslim community, or even avoiding looking like Indians. For some African Muslims, adopting a different *madhhab* within the Sunni tradition or following the Shi'ite tradition seem to offer an answer to those Muslims who aspired to forge a distinct African Muslim identity. Whereas the

Hanafi and Shafii *madhhab* were followed by Indian and Malay Muslims respectively, some African Muslims opted to follow the Maliki School of Jurisprudence. Sometimes the option was leaving the Sunni tradition altogether in favour of following the Shiite tradition (Fakude 2002: 48; Mathee 2003: 53). The introduction of Maliki *madhhab* to the African Muslims of South Africa dated back to the first half of the 1980s, when a British convert, Abdul Qader Al-Murabit, during a visit to the country in 1983 managed to recruit a number of African Muslims to form a new group named Murabituun (Tayob 1995: 150). Al-Murabit expressed his preference to the Maliki School of Jurisprudence which he thought more suitable to the African Muslims. Apparently these thoughts appealed to a number of African Muslims who found in adopting a distinct school of Jurisprudence a new identity that set them apart from Indian Muslims (who are for the main Hanafis) and the Coloured (who by and large are Shafiite). It is worth noting that MYM was concerned about the Murabituun's approach of organising themselves along racial lines. Murabituun, however, was looked at as evidence of the failure of the MYM to offer African Muslims a home despite the non-racial teachings that the former organisation preached (Tayob 1995: 150- 151).

Self-empowerment was another response to a number of problems, such as perceived marginalisation, the giving-taking mentality, resource imbalances and paternalism. It was the contention of my respondents that building their own organisational capacities is the way forward for African Muslims in response to the Indian domination over Islamic organisations. Yunus Chamda, for example, stated that African Muslims will prosper if they manage to organise themselves properly (Interview with Yunus Chamda, 1 February 2009). In other words, the establishment of these organisations is the only way in front of African Muslims if they want to break the Indian monopoly over Muslim organisations in South Africa. African Muslims sought to address the problem of resources imbalances and the perceived marginalisation by establishing their own organisations. The organisation of African Muslim Unity founded in Kwa-Zulu Natal in 1997; seeks as its main objective to achieve self-empowerment and assist African Muslims to become organised and focused (Sitoto 2002). Also in the same province, African Muslims from Pietermaritzburg, started an NGO called Yazisa Islamic Propagation Agency, with an aim to perform da'wah work in the midlands regions of KZN. Another example from the same Province is the founding of Kwa-

Nobuhle Muslims Development Initiative (KMDI), which is an African initiative to address the needs of the community economically, educationally and religiously (Muslim Views, June 2010). These projects, according to *Muslim views*, show that:

There are people out there who, despite meagre or no resources, doing good work and have long embraced the spirit of self-reliance, and have owned Islam and taken it upon themselves, to use a popular cliché, not to be spectators in a game they should be playing.

In the Eastern Cape and more specifically in Kwa-Nobuhle Township, the Muslim community of around 300 people established the Kwa-Nobulhe Muslim Community. Self-empowerment is in the heart of this organisation's goals. The organisation aims at developing and promoting a sense of intellectual and economic self-reliance, mobilising Muslims to engage in anti-racism and anti sexism activities and developing a common understanding of Islam in relation to political, social, economic and cultural issues. the organisation also calls African Muslims to re-interpret Islam with their own African context instead of depending on Indian and Malay scholars (Sesanti 2009: 37).

The ongoing effort to establish organisations for African Muslims seems to be more active in the Western Cape. For example, the Muslim community of Mfuleni near Delft set a project aiming to empower African Muslims with the skills they need and want to change the taking-giving mentality within the Muslim community (VOC 18/7/2007). The Masakhane Muslims is yet another example in building the organisational capacities of African Muslims. Masakhane, which means 'building one another', in Xhosa, was founded in 1993 as Ikhwanul-Muslimeen (Arabic for Muslim Brotherhood). It was meant to be a broad-based and umbrella organisation which would include smaller organisations in the townships. In 1997, Ikhwanul-Muslimeen changed its name to Masakhane. The change from the Arabic name Ikhwanul-Muslimeen to Masakhane is more than a cosmetic change; the word reflects the continuous struggles and efforts among the Muslims in the townships to mobilise, organise and prepare themselves to play an active role within the larger Muslim community (www.masakhanemuslims.org).

One of the shortcomings of the organisations initiated and established by African Muslims is the lack of participation from other communities; Murabituun is but one example. Although their current Amir, Abdusamad Nana, is himself an Indian Muslim,

he said that Murabituun does not attract Indians to its membership. Part of the reason the organisation is not popular among Indian people, he claims, is that Indians are insular. Black people, on the contrary, 'would come to Murabituun without the "Package", they are not having Deobandi-Beralwi attachments that tie them to their Indo-Pak backgrounds'. Nana added:

We take the *fiqh* of *Imam* Malik.... Indians are either Shafii or Hanafi, so if you come to us our *fiqh* is from the Arabs, our Shaikh is Scottish, our Mureeds are Blacks so in a sense we do have an environment where you can break things, and that is why for some reasons it is hard for Indians to join us. I think Arabs don't find it difficult, they find it easy. You get young men few that break through (Interview with Abdusamad Nana, 18 February 2009).

It should also be noted that some of the existing Islamic NGOs has also engaged in empowering African Muslims. Aiming at breaking the dependency mentality, South African national Zakat Fund (SANZAF) launched a number of projects one of which is Good Muslim-Good Neighbour Project. This project aims at transforming the mindset of dependency through fostering 'a spirit of community amongst the poor rural/township Muslim families' (SANZAF, Good Muslim- Good Neighbour brochure, 10/11/2008). I visited one of the sites of this project in Winterveld-Pretoria, where SANZAF helps Muslim families to set up their gardening projects as a way of generating income by selling the vegetables and fruits they plant. The project thus involves an empowerment component as well as an uplifting component (SANZAF, Good Muslim- Good Neighbour brochure, 10/11/2008).

As a response to claims that Islam is an 'Indian religion', there has been an ongoing attempt to establish and re-visit the history of Black Muslims in South Africa. Re-visiting their history in the country is another way to claim ownership of Islam, in the face of the widespread perception that Islam is an 'Indian religion'. This re-reading of history could be done through conferences and workshops in order to:

...teach people what Islam is all about. Most black people got the idea that Islam is from India and that Indians are those who brought Islam to South Africa; it is not. The Malay were the first people to bring Islam to South Africa. We need to correct these perceptions and tell people that Islam came to Africa while the prophet was still alive. In Abyssinia (Ethiopia) ...we also tell them that [it is] only in South Africa that we don't have Muslim majority, but that if they go up[further north] in Africa [African] Muslims are majorities (Interview with Zubairi, Soweto, 31 August 2010).

By the same token Mohammed Nour, argued that Indian Muslims should identify more with African thinkers and their ideas than with thinkers from the sub-continent, to quote him:

I think that the thoughts of Uthman Dan Fodio and Said Qutb are closer to me than thoughts of Deoband... we do not want to be part of the African continent and we do not want to be part of the Africans (Interview with Mohammed Nour, 23 February 2009)

Tahir Sitoto, An academic in Kwa-Zulu Natal, is one example of a few African Muslims who are trying to establish a counter discourse regarding the history of Black Muslims in the country. Sitoto truly argues that the literature on Islam and Muslims in South Africa is 'largely based on the experience and history of the Asian Muslim community'. He states that while this is understandable because the early roots of Islam is located in these communities the mistake or the shortcoming of this literature is that it 'either erased or unconsciously ignored the African Muslim presence' (Sitoto 2003). Rebekah Lee (2007: 125) notes the same, arguing that there is a huge gap in the historical accounts about the first African Muslims in the Cape and their descendents. Furthermore, African Muslims are usually referred to as 'converts' or 'new comers' to the fold of Islam. Unlike this picture painted by most of the literature available on Islam in South Africa, some of my informants had been Muslims for more than 30 years and some younger respondents were born Muslims which raises lots of questions about the appropriateness of label 'convert' that describes African Muslims.

Some organisations have already started the process of tracing the roots of Islam in the African communities in an attempt to prove that their existence is probably as old as the Indian and the Malay communities. Masakhane Muslims' organisation, in the Western Cape is one example; African Muslims in this organisation are challenging the historical accounts which dated the history of Islam to the arrival of Malay slaves.

According to the organisation:

The history of Islam in South Africa among the indigenous people indeed dates back way beyond the 300 plus years that the History books record. In the history books it is claimed that Islam came to South Africa with the advent of the Malay slaves in the Western Cape, a claim obviously disputed because the indigenous people have a strong conviction that their forefathers and foremothers must have come into contact with Islam way before anyone came to the shores of South Africa. The evidence is manifest in the practices of the various cultures in South Africa. With this in mind, a greater challenge and responsibility is vested upon the indigenous South African to research deeply into our history and present it to the world, and put the record straight about the History of Islam in our country (www.masakhanemuslims.org).

In the same vein, respondents emphasized the relation between some aspects of the Islamic faith and African culture and way of life. They asserted the fact that lots of the Islamic beliefs are close to the African way of life and African cultures. It is noteworthy that the same remark about the links between African cultures and Islam

were reiterated by Perter B. Clarke(1987: 139) who stated that ‘Islam in contrast to Christianity is an ‘African religion’. He added, ‘Christianity was “imposed”, Islam “organic”, Churches “Alien”, Mosques “indigenous”. The link that a number of respondents draw between African cultures and Islam is better understood as an integral part of asserting an African identity. Similar assertions were expressed in a study conducted by Sitoto (2002) in which an African Muslim in Durban, expressed the following:

I do not see any dichotomy between being African and Muslim. Islam is fully African and African is fully Islam---the two are synonymous because the values of African people are similar to Islam. The whole question boils down to the question of definition and central to that definition is the concern for human well-being. The more you go deeper into Islam the more you go back to your African culture. So lets call it home coming (Sitoto 2002: 6)

An African Muslim woman told Rebekah Lee: ‘Islamic is [a]Xhosa thing... Muslims have traditions, they have customs, and they are more or less the same as [what]Xhosas are supposed to do’(Lee 2007: 129).

In attempting to refute the claims that African Muslims are always asking for material help from better off communities, African Muslim leaders discouraged their followers from asking the Indian community for help. Sitoto recalled his own experience when he embraced Islam in the mid 1970s, in Kwa-Nobuhle township near Uitenhage; he stated that ‘the very notion of begging was totally unknown and discouraged within this community....Anyone perceived to be exhibiting a tendency of begging would be dismissed as someone othanda Uzaka, that is, an individual fond of zakāt’ (Sitoto 2002: 46).

On more than one occasion, African Muslims made it clear that they do not intend to approach the Indian Muslim community for funds. My respondents in Soweto sounded determined to raise the funds needed for building a third mosque in the township by themselves, even if that took years (Jama'at Khana Focus Group, 31 August 2010). In Cape Town, the local *Imam* of a mosque in an African township, *Imam* Lulama Mbatha, reiterated the same determination when he stated that ‘our first port of call for resources is the community itself before we even think of approaching other people for funds’.On the same token he said: ‘no one else will take up the challenge until we, of our own accord, accept the inevitable fact that, ultimately, the development of our communities rest with us’.

Asserting a distinct African Muslim identity does not stop at building organisation capacities and calling for self-reliance. My respondents from the African Muslim community call for ‘Africanizing Islam’, by which they mean embracing their African culture as long as it is not contradictory to their faith. This call for Africanizing Islam, however, has not received consensus from respondents. One felt so strongly about the term, he said:

Africanising Islam is not going to work. There is no such thing as Africanisation of Islam. Islam is Islam that is it. It has no Africanisation and Indianisation. Do that and that is your own Islam and you are not part of the Islam. This is the end of it. The Islam that you need to follow is the Islam of *Nabie* (PBUH) It is finished. Colour blind Islam. If we are talking about African islam then we are bringing more confusion to the deen and Allah wants us *اعتصموا بحبل الله جميعا ولا تفرقوا ولا تفرقوا ولا تفرقوا* and we would be causing lots of tafriq (division) because the colour and the race because of this and that. We want to do our own thing. Just follow Allah and the prophet.... when we say ‘Africanise’ the main thing here is that we bring a colour to something that has been already painted, you are painting for the sake of painting. (Interview, Anonymous, Soweto, 1 september 2010)

6.6 One faith, multiple communities: the established Muslim communities

As I explained in the introduction of this chapter, the intercommunity relations evolve around three main clusters namely Indians, Malay, and African Muslims. In the sections above I highlighted what I termed the Indian-African divide. I argued that the relations between the ‘emerging’ African Muslim community and the ‘established’ community could be better understood in the light of socio-economic imbalances. I also argued that the divide expressed itself along ethnic lines namely African as oppose to Indian. This section turns its attention to the relations within the established Muslim community and more specifically Indian and Malay communities. Similarly I argue that dynamics could be better understood against the backdrop of socio-economic differences, however, the manifestations of these differences express themselves in the form of religious traditions, practices and rituals. I also argue that these distinctions become less salient and consequently the established communities were drawn closer to each other.

In the previous section I dealt with the Indian Muslim community as a monolithic group. This, however, risks the wide diversity within this community. As I mentioned in Chapter 1, Indian Muslims who arrived to the Colony of Natal could be classified into two main categories the indentured workers and the free passengers —traders. These two groups were set apart by significant differences in terms of class, language, region and ethnicity. Furthermore the two groups have gone through different

experience regarding the ways in which they came and settled in South Africa. These differences combined were reflected in religious expression. Despite the fact that almost all Indian Muslims follow the Sunni Islam as opposed to Shi'i Islam, they were divided into two major religious traditions namely the Deobandi and the Beralwi (Vahed 2005: 129).

The Beralwi tradition is a performance oriented and Sufi- inspired tradition. It was founded in India by Ahmed Raza Khan (1856-1922). Subsequently this tradition found its way to South Africa where it attracted followers among the indentured Muslims. The Beralwi tradition refers to those who are following certain practices such as visitation of tombs, communal salutations to the prophet, celebrating Muharram³ and Urs (birthday of saints) and the use of Pirs (Guides) as intercessors between individuals and God (Vahed 2003: 331; Vahed 2005: 131). In today's South Africa this tradition has a support base among Muslim working classes and the descendants of indentured workers particularly in KwaZulu Natal and was given organisational expression through the Sunni Jam'iatul 'Ulama of South Africa, established in 1978 (Vahed 2000: 29).

On the other hand, the Deobandi tradition took root in Deoband India. They strongly believe that the above mentioned practices such as visiting saints' tombs, celebrating Muharram and Urs have emerged as a result of the Hindu influence on Islam and that there is no evidence in Islam to support these practices. They are thus believed to be un-Islamic and *bid'a* (innovation). Deobandis aim at purifying Islam from unauthentic practices and uprooting any influence Hinduism and other local cultures might have had on Islam (Vahed 2005: 132). Closely associated with the Deobandi tradition the Tablighi Jama'at (TJ)⁴ who were similarly originated in India and made inroads in South Africa among Gujarati traders from the 1960s. TJ Similarly, adopted a reformist agenda which aim at 'purifying' the faith from innovation and practices that have no roots in the authentic *din* (Vahed 2003: 331). Unlike the Beralwi group who

³ Muharram festival is held on the tenth day of Muharram, the first month in the Islamic calendar. This festival commemorated the martyrdom of Imam Hussain, the grandson of the prophet Muhammed, who was killed in battle on this day.

⁴ Founded in India by Mawlana Muhammed Ilyas Tabligh means to convey the message. Followers of TJ go from mosque to mosque and from house to house to preach a purified form of Islam.

draws its support from the ranks of indentured workers⁵, Deobandis build their support base within the traders groups (Vahed 2005: 133).

The socio-economic factors as well as the different history of early Muslims' settlement in the country provide an explanation why the support base of the two traditions took this particular form. First, the shared indenture experience united indentured workers regardless their ethnicity, religion and language; the long periods that these workers spent together during their journey from India to Natal and then throughout the indenture period drew Indian workers both Muslims and Hindus close. For that reason there were mutual influences between the two religions and traces of Hindu cultures were found in Islamic celebrations and vice versa. Muharram festival which has been a central event in the indentured labourers' calendar is a case in point. Although it is a Muslim occasion, it was well attended by Hindu indentured workers. Furthermore, all Indians regardless of their religious affiliation were given three days annual leave during this festival (Vahed 2001: 311). Vahed (2001: 311) argues that Muharram celebrations 'signalled the participation of Indians in a larger collective by drawing them together and played an important role in fostering a wider common identity, 'Indian-ness', in relation to whites and Africans'. Second: harsh indenture circumstances prevented Muslims from observing the everyday religious duties; social and economic conditions made it difficult for indentured Muslims to establish mosques, *madrasas* and other aspects of institutional Islam to fulfil the many requirements which were replaced by high profile religious celebrations which were rooted in the Beralwi tradition (Vahed 2001: 310- 313). The situation was different in the case of Indian traders, who possessed the material resources which enabled them to set about building mosques shortly after their arrival in Natal (Vahed 2001: 314).

A similar form of religious expression has been found in the Cape where Malay have developed their own religious traditions, rituals and practices. Central to Malay religious life is the Milad or *Mouloud* An-Nabie (commemorating the birthday of Prophet Muhammed) accompanied by the old-age traditions of 'rampies' which is considered to be the equivalent to Muharram celebrations by Beralwi tradition. Similar debates

⁵ Memon traders joined the latter group as well as the family of Soofie Saheb who built mosques and madrasas almost across South Africa Vahed, G. (2005). "Contesting Meaning and Authenticity: Indian Islam and Muharram 'Performances in Durban, 2002." *Journal of Ritual Studies* 19(2): 129-145.

concerning the permissibility of these celebrations echo the debates against Muharram festival by the Deobandi tradition. Cape Muslims also visit the tombs of saints known as Karamaat in the Cape context. A number of respondents expressed their anger at the ruling by more orthodox religious leaders concerning the impermissibility of the *mouloud* celebrations. Suraya Khan explained that because Cape Muslims were not allowed to practice their religion freely, they opted to 'Hide Islam under cultural issues...so when they made Zikr and read Surat Yaseen to memorise they would say these were cultural things and not religious' (Inetrview with Suraya Bibi Khan, 29/8/2010).

Despite the differences mentioned above, there is no explicit tension between these communities; for example Mosques' facilities are used by all Muslims regardless their affiliation with the Deobandi, Beralwi, tablighi or Sufi traditions (Interview with samih Jaad, 2/9/2010).

Divisions are not only found among the Indian community, differences also exist between Indian Muslims on one hand and Malay on the other hand. The most conspicuous difference is a theological one. Whereas Indian Muslims follow the Hanafi Madhab, Malay Muslims follow the Shaf'i school of jurisprudence. This different Madhaheb reflected ethno-class distinctions — as argued by *Imam* Rashid Omar of the MJC during the TRC hearings (Meiring 2005:154) However, in my interviews with members from both Indians and Malay communities, they downplayed the significance of following different madhhab. Some of my informants were themselves from mixed Malay and Indian origins and thus the Madhab issue was insignificant (Interview with Suraya Bibi Khan 29/8/2010). In addition, the two communities derive their religious inspirations and knowledge from different sources for example while Cape Malay sought religious training in Saudi Arabia, Egypt, North Africa, Indian Muslims particularly in KwaZulu Natal and Gauteng had their religious leanings more towards South East Asia, and have regularly sent their children to be trained in theological institutions located in Pakistan and India (Mandivenga 1991: 350; Haron 2008: 80-81).

These theological differences in terms of Madhaheb create unmistakable distinction within the established i.e. Indian and Malay Muslims. Mohamed Nour highlights this observation by saying:

Go to the Islamic radio stations in Johannesburg, and see how many employees are not of Indian origin, and not-hanafi followers, and how many programmes that are not hanafi influenced, and similarly go to the radio stations in Cape Town, and ask yourself how many fatawa are not influenced by the malay thought? (Interview with Mohammed Nour, 23 February 2009)

The ethnic element in self identification is not totally absent among the established Muslim community. In a qualitative study conducted in the Greater Cape by Yusuf Da Costa (1994) it was revealed that respondents voluntarily placed themselves in the apartheid racial classifications. Furthermore, around twenty-one percent of the respondents considered their racial classification as being more important than their religious classification (Da Costa 1994: 241-243). In post-1994, it seems that ethnic identification maintains its prominent place in identity expression within the Muslim community. A case in point to illustrate that was the celebrations and events accompanied the commemoration of the tercentenary of Islam in South Africa which took place in Cape Town in 1994. In these celebrations Malay ethnic identity was given prominence. For example, the official logo for the celebrations reflected the centrality of the Cape Muslims' historical symbols and reflected also a total absence of any representation to the broader Muslim community in a celebration that was meant to be inclusive to the whole Muslim community nationwide and not only Cape Muslims. In his description to the logo Jeppie said:

The official logo for the celebration, interestingly, was not Cape Town's favourite symbol Table Mountain. It consisted of a map of South Africa over which shaykh Yusuf's tomb was prominently situated with a "300 years" banner above all this. But despite this iconographic statement, the commemoration effectively ignored and suppressed the history of the more recent South Asians, Zanzibari, and other African Muslims in the Western Cape and the Northern provinces of the country (Jeppie 1996: 77)

Even with this regional focus on Cape Town, the Indian Muslim population of the Cape was also ignored. Furthermore, it was clear that the organisers aimed at emphasizing a Malay ethnic identity which was evident in a lot of activities during the celebrations (Jeppie 1996: 78-82).

As for the inter-relations between members of the two major established communities a number of informants referred to a sense of prejudice that still exist between the two groups; Suraya Bibi Khan told me that 'when you are amongst Indians they would call you a particular word, and when you are among the Malay they will call you a particular word which is a derogative word' (Interview with Suraya Bibi Khan, 5 November 2008).

Despite the salience of ethnic identification, there has been rapprochement between Malay and Indians on the one hand as well as rapprochement between the different sub-groups constituting the Indian community on the other hand. Inter-marriage within the established Muslim community is a reflection of their ability to

transcend the division lines of ethnicity, language and region. During the early years of migration to South Africa, Indian immigrants were very strict in maintaining ethnic, cast, language boundaries between the different sub group. However, with the introduction of more restrictions on new immigration, 'the initial barriers of language and culture were being overcome by the shared Islamic faith' (Argyle 1981: 231). Similar arguments emerged in post-1994 era which opened the door open in front of free interaction between previously segregated communities; as a result different Muslim communities started to stress the importance of the shared faith as oppose to the differences among them, Zareen explains:

In the past the boundaries were very rigid; Indians for example would not want their children to marry Malays. They are all Muslims, but the culture. Now they changed, they say we would rather integrate with other Muslims than integrating with non-Muslims, especially in marriage; rather marry a Malay than a non-Muslim (Interview with Zarina Hassem, 24/3/2009).

However, Yunus Chamda asserts that the opening up of boundaries is yet to take place between African Muslims on one hand and Malay and Indian Muslim on the other hand. He recalled the reaction from his family as he discussed the possibility of his daughter marrying an African Muslim, he said:

The departure point is that you marry from your own religion. Then it should not be an issue whether you are an African Muslim, a Muslim from a European origin, that should be of no consequence (Interview with Yunus Chamda, 1/2/2009)

The final point I would like to discuss here is the language aspect in the inter-community relations. Language is considered an important marker of the individual's and group's identity. Indian immigrants as I highlighted in chapter 1 came from different linguistic backgrounds. Whereas older generations managed to keep their mother languages spoken in their households, younger generations only speak English as a first language. Almost all of my interviewees from the Indian community have no knowledge of the languages their foremothers and forefathers used to speak. This situation whereby Indian languages disappeared and have been replaced by English language contributed to rapprochement of linguistic sub-groups which constitute the Indian Muslim community. Language thus, 'has lost significance as a factor in boundary construction' (Vahed 2000: 28) since English is the first language of the overwhelming majority of Indian Muslims.

The linguistic profile of Cape Muslim community is rather different with the majority of Coloured Muslims speak Afrikaans as a first language. Coloured Muslims

have contributed to the development of Afrikaans since their early history in the Cape colony. Since the end of Apartheid, Afrikaans has gradually lost the preferential treatment by the government, and subsequently has started to lose grounds to English. A listener of VOC radio station spoke about the changing linguistic profile of the Cape Muslim community saying:

My home language is Afrikaans. My mother's home language was Afrikaans, and her mother's home language was Afrikaans. My children's home language was Afrikaans, but their children's home language has suddenly changed to English.

Being a significant component of the Afrikaans speaking communities in South Africa, Muslims have been drawn into the wider campaigns and efforts to retain the language status in South Africa. The latest among these efforts was a seminar held in Cape Town and organised by ATKV, which aimed at looking at the relation between Islam and Afrikaans. However, seminar caused reservations from some Muslim intellectuals who warned against drawing Muslims in a politicised debate (VOC 1/3/2010).

6.7 Conclusion

Gerhard Schutte (2000: 207) argues that the post-apartheid era in South Africa has witnessed a 'qualitative' change in the type and nature of the racial relations which also have become more open to contestation. His conclusion begs questions such as whether this remark is true for the South African Muslim community, and whether the ethnic/racial relations within the community have also changed and become open to contestation. Based on the material analysed in this chapter, the following conclusions could be highlighted.

First: it is obvious that ethnicity occupies a central theme in the intercommunity relation. It is also clear that there is a significant interrelationship between class and ethnicity. Second: it is evident from the presentation above that the ethnic relations within the Muslim community could be better understood in the light of power conflict theories that give weight to a number of variables such as the role of state, class and socio-economic status as explanatory factors. Third: a comparison with the broader context reveals that the ethnic card was used in the inter-community relations rather than in the relations between Muslims as a religious minority and the rest of the South African population. Due to the differences among the groups constituting the Muslim

community, ethnicity was a marker of identification within the community. This is interestingly different from other contexts, particularly in Europe when ethnicity is a marker of identification that set the Muslim apart from the rest of the population as they are referred to in ethnic terms as Pakistanis, Maghrebis and Turkish for example. Fourth: ethnic relations and surrounding discourses within the Muslim community do not necessarily reflect the same debates that exist on the national level. A case to illustrate this particular point is the Cape Malay, whose discourse is significantly different from the marginalisation discourse found in the broader Coloured community discourse. This could be partially explained by the minority vs. majority status. While Indian and Malay (coloureds) are in the minority status in the South African context, as opposed to Africans who constitute the majority, they constitute the majority within the Muslim community which impacts upon senses of marginalisation. Finally: as for the relation between the ethnic/religious identities, it seems that it can be mutually exclusive as in the case of Malay. This is, however, not the case for the Indian and African Muslims, as the ethnic and the religious identities are not mutually exclusive.

7 Conclusion

Muslims are not only Muslims, and do not behave all the time as such, but Islam is too fundamental a dimension of Muslim cultural identity for its impact to be overlooked or minimized in any analysis of the affairs of Muslim societies. Conversely, Islam is neither contained by a culture of Muslim society nor simply coincidental to it. I would strongly emphasize, however, that all religion, including Islam, is also negotiable and adaptable (An-Na'im 1997).

We are all comprised of multiple identities depending on where we come from, what we believe in, where we are, and with whom we are interacting at a particular moment. Often we insist on identity as a fixed and unchanging category. A closer look, though, shows that we- and the way in which we view ourselves- are really ever changing. The insistence on viewing identity as stable, static or monolithic is usually reflective of our insecurity, our fear of the unknown parts of ourselves that may emerge when the label is peeled off. So we desperately hold on to the label, although the single certainty about its contents is inescapable uncertainty' (Esack 2001: 77)

With its primary aim to unveil the continuous and complicated process of negotiating identities in the South African context, this thesis constitutes part of a growing body of academic literature that focuses on issues of identity and identity formation following the end of apartheid in South Africa. With the majority of this literature focusing on ethnic identities primarily and its relation to national identity and the nation-building project, my choice to focus on the Muslim community was initially a bid to escape ethnicity as a primary marker of identification and thus address a gap in the academic literature in this regard and at the same time highlight how religion could be a source of drawing meaning in the South African context along with race, class and other sources of identification in post-apartheid South Africa. However, as the research progressed, it became obvious that it is indeed impossible to break away from ethnic identification altogether and that it is still salient in some particular contexts, and a very important factor to explain identification patterns in other contexts.

The Muslim community provides a good case study of how people's identities have been influenced by apartheid policies, the struggle against apartheid as well as the new political dispensation. This thesis addressed two central questions: firstly, how does Islam inform identity formation in the South African Muslim community? And secondly, who are the key players in the identification processes? The thesis also investigated the different tiers of identification and the interplay between them. In order to examine how religion mediated Muslims' identities I focused on three separate yet connected spheres, namely political, national and ethnic. This classification is not meant to be either rigid or mutually exclusive. On the contrary, these levels are interdependent

and should be understood as such. In the light of the answers provided to these questions, this study contributed towards connecting Muslims' religious collective identity with their collective identities as South Africans and also as belonging to different ethnic groups.

In order to answer the above research questions, and explore the rather complicated world of identity, a theoretical framework is needed. This thesis built on the theoretical and conceptual framework offered by Brubaker and Cooper (2000) who differentiate between identity as a category of social and political practice and as a category of social and political analysis. Following their suggestion I used the term 'identification' as an analytical tool, which enabled me to highlight four critical elements in analysing and understanding identification processes, namely: the continuous nature of the identification process, the importance of context, the role played by different agents and finally the resultant identities and the extent to which these resultant identities actually correspond to what different agents sought to produce.

As I have stated above, the thesis aimed at analysing identification processes within the Muslim community on three connected levels: political, national, and ethnic. Identities constructed in the political sphere have been examined both during the anti-apartheid struggle and in the post-transition period. Research revealed that Islam has been introduced as a valid political ideology during the anti-apartheid struggle as well as after the transition. During the apartheid years, Islam constituted a source of political inspiration; as a result a number of organisations such as Muslim Youth Movement, Qibla and the call of Islam, developed their own interpretation and understanding of Islamic injunctions in order to mobilise Muslims to be part of the struggle. In the post-transition era political Islam manifested itself in different forms namely Islamic political parties and Pagad. In order to examine how Muslims debated issues of citizenship and national identity, two case studies have been used to illustrate what it means to be a Muslim and a South African at the same time. The first one is the case of negotiating Muslim Personal Law while the second case is Muslims attitudes towards Muslims immigrants. Finally, intercommunity relations were investigated to highlight dynamics of ethnic identification within the Muslim community.

In the following sections, I am going to highlight my findings with relation to the four main elements highlighted above, namely agents, context, processes and resultant identities.

Agents

The thesis demonstrated that the religious establishment represented in different *'ulama* organisations are the key agents in shaping, negotiating and constructing Muslims identities. In this regard, South African Muslim community is not an exception. In almost all Muslim communities, *'ulama* play a major role in the lives of Muslims. This is mainly attributed to their control over the *mimbar* (pulpit), and their religious knowledge. Their influential position was strongly emphasized by my informants who during our conversations reflected on the critical role played by the *'ulama*- without necessarily being in favour of such a strong role. Furthermore, different case studies throughout the thesis illustrate how various *'ulama* groupings across the country enjoy a great influence, not only regarding religious matters, but in almost every aspect in the community live, and how their rulings and views towards different issues proved to be important and vital for rank and file Muslims who sought their opinions in issues like for example taking part in anti-apartheid movement, getting involved in politics, voting in the elections and even whom to vote for. The centrality and weight the religious bodies enjoy in the community is better reflected by the role religious leaders are expected to play in mobilizing the Muslim community behind or against certain issues. This explains why it was vital for political parties, for example, to get the religious leaders' support and to have their manifestos and programmes endorsed by religious establishment. Consequently, we can understand why the failure of Islamic political parties was blamed on the religious bodies that did not provide them with the necessary support to garner Muslims support. Likewise, the demise of Pagad was partly attributed to the religious establishment who denounced the movement and denied them access to the mosque.

Despite this central role, the thesis demonstrated that *'ulama*'s influence has not been completely unchallenged. For example, during the anti-apartheid struggle religious bodies' conservatism which advocated a position of 'non-involvement' in the anti-apartheid movement— was called into question by Islamic resurgent organisations such as the Call of Islam, MYM and Qibla who offered an alternative reading of Qur'an and

different understanding to Islamic injunctions as taught by the ‘ulama. These organisations’ own interpretation of Qur’an laid the foundations for an Islamic equivalent of liberation and contextual theology as advocated by different Christian churches in South Africa.

Even in areas that have been for long perceived as the prerogative of ‘ulama fraternity, the latter’s role has been challenged. Muslim Personal Law is a good case to illustrate this particular point as it demonstrated the extent to which the authority of ‘ulama has been circumscribed not least by the South African constitution which imposes limitation on their version of the Muslim personal law. Furthermore, the case of MPL showed how post-apartheid political dispensation has brought challenges which the ‘ulama have not faced before the transition.

In addition, the thesis argues that the agents who are involved in identity construction processes keep changing over time. For example, the end of apartheid system signalled the end of a certain form of Islamic political activism, as a result the movements, organisations that have embodied political Islam during the intense years of the anti-apartheid struggle have either disappeared or become less active. On the other hand, other actors, namely Islamic political parties and more radical organisations such as PAGAD filled the political space after the transition.

Finally, identity discourses are also determined by the dominant groups within the community. In this regard Indian Muslims as well as Cape Malays dominate the identity formation discourse to a great extent. This domination is attributed to the numbers (almost ninety percent of Muslims are either Indian or Malay) and the material resources concentrated within these two communities. As a result, there is a considerable imbalance in the roles, influence of different sub-groups constituting the Muslim community. This dominance resulted in some feelings of marginality on the part of African Muslims and as a result, a counter-discourse that rejected Indian dominance over identity discourse has emerged.

Context

The different case-studies used throughout the thesis suggested that there is not a straightforward answer to the question of what it means to be a Muslim in South Africa and there is no predictable ‘Muslim identity’ as such. Neither is there agreement on a

certain hierarchy of identities in which the religious identities necessarily override other forms of identities. Thus, it would be wrong to claim that Islam overrides and determines other aspects and components of Muslims identities. More accurately, one could speak of an inclination to give an Islamic dimension, or reflection, to other aspects of social existence. The operative question, thus, is rather to be the extent to which belonging to the Islamic faith influences all other levels of identifications. It is also important to note that resultant identities are also influenced by personal views, behaviour patterns and larger cultural social and political processes in which individuals are involved.

In other words the degree of which Islam mediates Muslims identities in different spheres is a matter of context. Therefore, the outcome of any identification process depends mainly on the context in which identity negotiations are taking place. The context determines the discourse as well as the chances of this discourse resonating with the broader community. Furthermore, certain contexts are more conducive to a Muslim collective identity. That is more evident when the community is seeking recognition or concessions (such as the example of Muslim Personal Law), whereas other contexts call the whole idea of ‘collective Muslim identity’ into question. For example, the salient ethnic identification in the context of inter-community relations challenges a straightforward notion of a unified Muslim identity. Based on the various outputs of the identification processes, one should be cautious not to presume religious identities to be central; they should not be treated as the most defining, and the most authentic representation of a community.

Process

Based on the above remarks about agents and context, it could be easily concluded that identity formation and construction is thus a continuous process. This however, does not suggest that this process necessarily generates the same outcome all the time. A common thread that runs through the different and multiple tiers of identification — as discussed in the thesis— is the existence of two competing trends. On one hand there is a tendency from the part of different key players to forge a common Muslim identity based on their shared faith. The assumption, upon which this perspective is based, is that religion constitutes the overarching source of identification. Hence, Muslims’

behaviour in the public sphere has to be informed and mediated by their religion. However, this argument in itself is not unproblematic as it raises the vital question of who would do the interpretation and who would determine the behaviour. The apartheid era provides us with a relevant context to illustrate the particular point; both conservative religious bodies and progressive Islamic movements believed that Islam was their reference point, however, their different interpretations led them both to two different paths; whereas the conservative clerics refrained from becoming actively involved in the struggle, progressive Muslims engaged actively. The second competing trend, on the other hand, maintains that Muslims have to move away from identity politics altogether.

Closely related to the previous remark is the exclusive-inclusive debate. Literature on Muslim politics suggests that whether they are the majority or a minority of the population, Muslims tend to organise politically on the basis of their faith to ensure that the state and the society are structured along what they consider to be Islamic lines. In the South African context, there have been some manifestations of this attempt to organise separately. The emergence of Islamic political parties and the attempts to have separate laws based on shari'ah, are but few examples. Whether these attempts have been successful or not, will be discussed below.

Identity construction processes could also involve a certain level of continuity. Identities constructed in the political sphere are but one example to illustrate a considerable degree of continuity. The classic example in this regard is the position of the religious establishment towards the state. During the anti-apartheid struggle, the religious bodies- with very few exceptions- refrained from taking part in the liberation struggle as well as from publicly opposing the unjust system. This perceived conservative and rather 'accommodating' position – to borrow the words of some Muslim activists- has been reproduced in post-1994; the religious establishment, to a large degree, has been supportive of the ANC. The more progressive voices who criticized the religious establishment for not supporting the liberation struggle were the same voices who criticize the religious establishment in post-1994 context for being too close to the power.

Resultant identities

I argue that regardless of the discourses of different agents, most of my case-studies maintained that the resultant identities have not necessarily corresponded to what different agents aimed to forge. Muslims' identities in the political sphere for example, have not corresponded to what agents tried to construct. The post-transition era provides us with evidence to support this argument. On the one hand, Islamic political parties failed to garner Muslims votes and on the other hand Pagad failed to mobilise Muslims' support. Thus both cases proved that discourses adopted and propagated by key agents has not necessarily resonated with the rank and file Muslims. Another example that challenges the existence of a unified Muslim identity is inter-community relations. These relations have been to a great extent divided along ethnic lines between the three main clusters constituting the South African Muslim community namely Indian, Malay and African Muslims. In other words inter-community relations revealed that ethnic identification has enjoyed paramount importance as opposed to a unified identification based on sharing the Islamic faith.

In conclusion, the world of identities within the South African Muslim community is very complicated, as is the case with other communities. This research, however, did not exhaust all the possible lines of enquiry. An interesting one that could be a possible area of future research is local Muslims' identification with the broader Muslim *Ummah*, and how this could possibly affect the dynamics of Muslim/non-Muslim relations in South Africa. The South African Muslims' support to the Palestinian cause is an example that brings this particular issue in the limelight, as it has sometimes caused tensions between the Muslim and Jewish population in South Africa. On more than one occasion, members of the Jewish community launched complaints and court cases against some Islamic broadcasts because of their views expressed towards Jews (BCCSA: 2008). Furthermore, links with the Muslim *Ummah* take other forms, for example, Islamic NGOs such as Gift of the Givers and African Muslim Agency have been recognised for their efforts in offering help to Muslim communities in different countries. Although these organisations reach out to non-Muslim local community in South Africa this aspect of their work in terms of the identification of the global *Ummah* is worth studying. The forms and manifestations of these local-global relations will help deepen our understanding of Muslims' identities in a wider context. My research,

however, did not entirely ignore the local-global links, which were rather addressed in the different context of Muslims immigrants to South Africa which shows strong identification with the broader Ummah of Islam.

By looking at the identities of Muslims in the South African context, this thesis contributes to the wider literature about identity construction in post-1994 South Africa as well as the literature pertaining to Muslim politics and Muslim minorities.

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Appendix 1: List of Interviews

This appendix contains a detailed list of those people who participated in this research through in-depth, semi structured interviews. A number of informal discussions and conversations are not listed here.

1. Soliman Dangor, professor, School of Religion and Culture University KZN, Durban, 7 September 2007.
2. Tahir Sitoto, lecturer in Islam and Religious Studies, and former president of MYM, Durban, 8 September 2007.
3. Hussein Solomon, lecturer, University of Pretoria, 15 September 2007.
4. Auwais Rafudeen, Institute for the Study of Current Islam (ISCI), International Peace University-South Africa, Cape Town, 6 October 2008.
5. Ahmed Mukadam, rector, International Peace University of South Africa (IPSA), 6 October 2006.
6. Farid Said, editor, Muslim News, Muslim News office, Cape Town, 7 October 2008.
7. Munadia Karaan, programme manager, Voice of the Cape, Cape Town, 8 October 2008.
8. Inayet Said, presenter, Channel Islam International, Fordsburg- Johannesburg, 18 October 2008.
9. Suraya Bibi Khan, community activist, Lenasia, 5 November 2008.
10. Shamshad Said, presenter, ITV Johannesburg, 5 November 2008.
11. Rehana Vally, lecturer, University of Pretoria, 10 November 2008.
12. Naeem Jeenah, former MYM president, Darrenwood, Randburg, Johannesburg, 17 November 2008.
13. Hoosen Essof, SANZAF, Lenasia, SANZAF office, 19 November 2008.
14. Zeinoul Cajee, Awqaf SA, Crosby- Johannesburg- Awqaf office, 2 December 2008.

15. Imam Said, ITV, Pretoria, 13 december 2008.
16. Abdul Kader, Winterveld, 20 December 2008.
17. Ismail Vadi, ANC MP, ANC office, Lenasia, 9 January 2009.
18. Zarina, ANC office, lenasia, 9 January 2009.
19. Sidique: Winterveld Pretoria 10 January 2009.
20. Suraya Nawab, Islamic Care Line, Islamic Care Line office, Fordsburg, Johannesburg, 13 January 2009.
21. Abubaker, Muslim Aids Program (MAP) - Jam'iatul 'Ulama, Fordsburg, Johannesburg 13 January 2009.
22. Fatima, Muslim Aids Program (MAP) - Jam'iatul 'Ulama, Fordsburg, Johannesburg 13 January 2009.
23. Cassiem Khan, Islamic Relief, Pretoria, 21 January 2009.
24. Rehana Moosajee, J'burg City Council, 22 January 2009.
25. Yunus Chamda, ANC MP, Johannesburg, 1 February 2009.
26. Maulana Muhammed Wadi- Imam- Metro Mosque- Pretoria, 12 February 2009.
27. Abdul Samad Nana, Murabituun, Johannesburg, 18 February 2009.
28. Mohammed Nour, 23 February 2009.
29. Tasneem Basha, Radio Islam, Lenasia, 9 March 2009.
30. Zarina Hassem, SANZAF- Johannesburg, 24 March 2009, Johannesburg.
31. Najma Khota, Lenasia, 30 March 2009.
32. Ismail Variava Radio Islam, Lenasia, 3 April 2009.
33. Maulana Mohamed Riad Limbada, lenasia, 3 April 2009.
34. Fiddah Limbada, Lenasia, 3 April 2009.
35. Joggera Van Niekerk Bosmont Mosque committee Secretary, 22 August 2010.
36. Imam Malick, Bosmont Mosque, 22 August 2010.
37. Quraysah Yusuf, freelance journalist, 24 August 2010.

38. Abdullah Ghany- Mokoena, Islamic Dawa Movement, Marabstad, 25 August 2010.
39. Yusuf Dhala Dhala, Islamic Dawa Movement, Marabstad, 25 August 2010.
40. Zubairi, Soweto, 31 August 2010.
41. Shakira, social worker, Soweto, 31 August 2010.
42. Ebrahim, the new mosque in Soweto, 1 September 2010.
43. Samih Jaad, Presenter, Radio Islam, Lenasia, 2 September 2010.
44. Sheik Abdul Salam Bassiouni, Attawheed Centre, Lenasia, 2 September 2010.
45. Adli Jacobs, Call of Islam member, Adli's house in Florida, 3 September 2010.
46. Dr. Yusuf Salojjee, Call of Islam member, Lenasia, 4 September 2010.
47. Ahmed Gorabhai, Call of Islam member, Lenasia, 5 September 2010

Appendix 2: List of Focus groups' participants

This appendix contains a detailed list of those people who took part in four focus groups which have been conducted regarding the research.

Focus Group One: Women Focus Group - Islamic Help line Lenasia- 3 December 2008

1. Yasmene Sedate.
2. Amina mayaet.
3. Somaya Khan
4. Amany Saraja
5. Safya Boda
6. Sediqqa Cajji
7. Hajira

Focus Group Two: African Muslims in Jamat Khana- Soweto 31 August 2010 September

1. Umar Vusi Lwane
2. Qassim Solomon Bhekisisa Gumede
3. Yusuf Ngocobo
4. Moosa Ngubame

Focus Group Three: African Muslims in Dlamini Mosque- Soweto, 1 Septemebr 2010.

1. Jaafar
2. Annonymous
3. Khomeini
4. Moosa

Focus Group Four: Somali Community in Mayfair 5 September 2010

1. Ismail Abdulla Abdu

2. Mahmoud Ahmed, a post graduate student
3. Ahmed Sirraj, an accountant
4. Saoda, journalist
5. Shaikh Abdul Aziz Ali Ahmed
6. Abdulkader
7. Saeed.

Appendix 3: A note on using VOC Radio Podcasts

As I explained in the methodology section in chapter 1, I have relied heavily on radio podcasts with the aim to supplement data obtained by both interviews and focus groups. As I argued earlier, due to the participatory nature of community radio stations data obtained from radio conversations and programmes is a good representation to rank and file Muslims. Furthermore, VOC podcasts supplemented the data that I gathered mainly from Gauteng and contributed in giving the study a more balanced perspective from other Muslim communities mainly in the Western Cape. Data was accessed via online streaming which I have been doing during my field work in Gauteng and kept doing even after my return from the field which kept me up to date with the developments and debates within the Muslim community.

Radio conversations as used in the thesis are either: news articles or audio podcasts posted on the radio website. Every time radio data was used in the text, a full citation containing the date and the speaker — if identified— was mentioned. This appendix includes a fuller citation of the programmes and news articles used in the thesis, and are categorized by theme.

On the issue of Muslim Personal Law:

(1) Programmes:

- Q&A with Mufti Abdul Kader Hoosain, 27/3/2009
- Breakfast Beat, 4/4/2009
- Open Lines, 7/4/2009

(2) News articles

- Debate deepens on Muslim Marriage Bill, 27/3/2009
- Your choice to accept MPL or not: Alim, 27/3/2009
- Marriage Bill: Change of Heart Due to Choice, 1/4/2009
- Women's organisations slow on MPL debate, 11/4/2009
- Overview of Draft bill on Muslim Marriages, 17/4/2009

On the issue of Muslim Politics and political participation:

(1) Programmes:

- Air Your View: about the Muslim vote, 14/10/2008
- Open Lines, 9/12/2008
- Live broadcast from Habibiya Mosque- pre Jumma sermon by Ebrahim Rasool, 17/04/2009
- Interview with Gholam Sabdia leader of Africa Muslim Party n.d.

(2) News articles

- Skwatcha Group wants to meet MJC, 17/7/2008
- Ulema Call for peaceful elections, 21/4/2009
- MJC endorses AMP manifesto, 21/4/2009
- Big Diversity in Muslim Votes, 22/4/2009

On the issue of Pagad

(1) News articles

29 June 2006

20 December 2006

9 October 2007

29 May 2009

1 June 2009

22 August 2009

1 December 2009

On the issue of immigration

(1) News articles

23 & 25 August 2006

6 September 2006

23 May 2008

12 July 2010